

UNIVERSITY OF B.C. LIBRARY



3 9424 00126 2556

State staklion service laws.

Published as Supplement to

THE HORSE BOOK

STORAGE ITEM
PROCESSING-CNE

Lp1-F19G

U.B.C. LIBRARY

CAT. NO. SF291-J73-001 B

STATE

CC. NO. 6940 B

STALLION SERVICE LAWS

1914

PUBLISHED AS SUPPLEMENT
TO
"THE HORSE BOOK"

BY
THE BREEDER'S GAZETTE
542 SOUTH DEARBORN STREET
CHICAGO, ILL.

STATE STALLION SERVICE LAWS.

(Revised July 1, 1914.)

Most of the states now have laws granting liens on mare and foal, or both, resulting from the services of properly advertised stallions. A number of the states have laws governing the standing of stallions for public service. These laws, as an examination of the following pages will disclose, differ very materially in the various commonwealths. Stallion owners will find it very much to their advantage to comply absolutely with the provisions of these laws as they relate to the obligations imposed upon them, and in all cases to seek protection under their terms. For a stallion owner to file his list of mares, in order to perfect his liens, does not imply distrust of his customers. Taking such action is merely an evidence of sound business sense. When the lien is perfected those who will not pay voluntarily may be forced to pay and those whom the stallioner may desire to favor are none the worse off. The wording of some of the statutes is not clear; in such cases the advice of a local lawyer should be sought.

ALABAMA.

"The owner of every stallion, jack, bull, ram, he-goat or boar, who keeps it for a profit and charges a price for the service thereof, shall have a lien, for the amount of the stipulated price thereof, on any mare, jennet, cow, ewe, she-goat or sow," to which such sire shall have been bred and also on the offspring born next after such service. The statute provides that this lien shall be paramount over all other liens, but it has been held to be subordinate to a prior recorded mortgage.

Upon filing bond and affidavit the sire owner may have an attachment,

1. When the claim is due and payment is refused.
2. Whether the claim is due or not, "when defendant has traded off, or otherwise disposed of, or there is good reason to believe he is about to trade off or otherwise

dispose of, or remove from the county, any of the animals on which the lien exists, without paying the stipulated price for such service."

ARIZONA.

"Every owner or agent who may have the custody or control of any stallion shall, before advertising or offering such service to the public for any fee, reward or compensation, file for record with the county recorder of the county in which the owner or owners, agent or agents reside, or in which such stallion shall be kept for service, a written statement giving the name, age, pedigree and record if known, and if not known that the same is unknown, the description, terms and condition upon which such stallion will serve. Upon filing such statement the county recorder shall cause to be recorded in a book kept by him for that purpose such statement, and shall issue a certificate or license to the owner or owners, agent or agents having the custody and control of such stallion that such a statement has been filed in his office. The county recorder shall be entitled to receive for recording such statement and issuing the certificate the same fee as he is now entitled to for recording other instruments in his office. The owner, agent or agents of the owners of such stallion shall post a written or printed copy of the statement so filed and recorded with such county recorder in a conspicuous place in each locality in which said stallion shall be kept for service."

Any owner who files, publishes or proclaims a false pedigree or record or statement of any kind regarding any stallion, or who neglects or refuses to comply with the terms of the above section, forfeits all fees for services, and any person injured may recover damages.

If the terms of the first section are complied with the stallioner has a lien on mare and colt for the agreed fee, or if no contract, for the fee specified in the statement filed, provided a notice of lien is filed within six months after the service in the office of the recorder of the county in which the stallion is owned or stood, giving date of service, description of mare, name of owner and amount for which lien is claimed. The lien is good for one year from the date of filing the notice. It may be foreclosed in any court having jurisdiction and execution will issue against the property on which the lien is claimed.

"Nothing in this title shall be construed as in any man-

ner impairing or affecting the right of parties to create liens by special contract or agreement, nor shall it in any manner affect or impair other liens arising at common law or in equity or by any statute of this state, or any other lien not treated of under this title."

ARKANSAS.

"The owner of any male animal kept for the propagation of his species shall have a lien upon any female animal and her offspring to which such male (is) so let for the sum contracted therefor, which lien shall attach at the time of the service of such male and shall not be lost by reason of any sale, exchange or removal from the county or other disposition (of such female animal, but upon such sale, exchange, removal or disposition) without the consent of the person holding the lien, the same may be immediately enforced." Note: The words and clauses enclosed in parentheses do not appear in the law as printed in the statute book.

Sale, exchange, removal or disposition of the animals upon which a lien is claimed without the consent of the person holding the lien or with intent to defraud him, is a misdemeanor, punishable by a fine of \$25 to \$50.

The lien may be enforced within twenty months after the right of action accrues, by filing with any justice of the peace in the county a verified statement setting forth the amount claimed, the cause of action, and a description of the animals upon which the lien is claimed.

The owner of any animal attached under this law may give bond for retention of such animal, as in other actions.

CALIFORNIA.

All stallions or jacks offered for public service must be enrolled with the stallion registration board and the license certificates issued must be recorded with the county recorder of the county in which such animal is used for public service.

Sec. 3. In order to obtain the license certificate herein provided for, the owner of each stallion or jack shall forward an affidavit signed by a licensed veterinarian to the effect that he has personally examined such stallion or jack, and that, to the best of his knowledge and belief, said stallion or jack is free from hereditary, infectious, contagious, or transmissible disease or unsoundness. The owner of said stallion or jack shall also furnish to the stallion registration board the stud-book certificate of reg-

istry of the pedigree when said stallion or jack is registered, and all other necessary papers relative to his breeding and ownership. Upon verification of pedigree and certificate of breeding (in case of purebred stallions or jacks), and receipt of veterinarian's affidavit, as provided for in this act, a license certificate shall be issued to the owner.

Sec. 4. "The presence of any one of the following named diseases shall disqualify a stallion or jack for public service, and the examining or inspecting veterinarian is hereby duly authorized to refuse to give an affidavit of soundness to the owner of such stallions or jacks affected with any one or more of the diseases herein specified in a transmissible or hereditary form, and the examining or inspecting veterinarian shall so report the same to the secretary of the stallion registration board. Laryngeal hemiplegia (roaring or whistling), pulmonary emphysema (heaves or broken wind), chorea (St. Vitus' dance, crampiness, shivering, stringhalt), bone spavin, ringbone, sidebone, navicular disease, osteoporosis, curb when accompanied with faulty formation of hock, glanders, farcy, maladie du coit, urethral gleet, mange, or any contagious or infectious disease, and the said board is hereby authorized to refuse its certificate of enrollment for any stallion or jack affected with any one of the diseases herein above mentioned and to revoke the previously issued enrollment certificate of any stallion or jack found on subsequent examination and investigation to be so affected."

Sec. 5. The animals shall be enrolled as "purebred," "crossbred," "non-standardbred," "grade" or "mongrel," according to the facts. In emergency cases temporary license certificates may be issued without veterinary examination upon an affidavit by the owner that, to the best of his knowledge and belief, the stallion or jack is free from infectious, contagious or transmissible disease and unsoundness. These certificates are good only until veterinary examination can reasonably be had.

Sec. 6. "The owner of any stallion or jack used for public service in this state shall post and keep affixed, during the entire breeding season, copies of the license certificate of such stallion or jack, issued under the provisions of this act, in a conspicuous place, both within and upon the outside of the main door leading to every stable or building where the said stallion or jack is used for public service. Each bill and poster and each newspaper advertisement shall show the enrollment certificate number, and state whether it reads 'purebred,' 'grade,' 'crossbred,' 'non-standardbred,' or 'mongrel,' and it shall be illegal to print

or advertise any misleading reference to the breeding of said stallion or jack, his dam, or his sire."

Sec. 7 gives five forms of certificates for different classes. The fee of \$2.50 for examination and enrollment of each stallion or jack pedigree and for the issuance of a license certificate which is good for one year from its date. The certificate may be transferred for a fee of \$1. The annual renewal fee is \$1, and upon proof of the loss or destruction of the original certificate, a duplicate may be had for the same fee.

Every stallion or jack for which a license has been issued shall be exempt from further examination unless a complaint is filed, certified to by three men, one of them a licensed veterinarian, that such animal has some hereditary, contagious or infectious disease which was not evident at the time of previous examination. The stallion registration board shall then have another examination made and the owner of the stallion has the right to appoint a qualified veterinarian to act with the board veterinarian, and if these two cannot agree they may appoint a third with the consent and approval of the board and the owner, who shall act as referee, and the decision of such referee shall be final. If the complaint is found to be correct, the license shall be revoked.

Violation of any of the provisions of this act may be punished by a fine not to exceed \$100 for each offense, or by imprisonment not to exceed fifty days, or by both fine and imprisonment.

Before a sire owner can have a lien he must comply with the old law which follows:

"Every owner or person having in charge any stallion, jack or bull, used for propagating purposes, has a lien for the agreed price of its service upon any mare or cow and upon the offspring of such service, unless some wilfully false representation concerning the breeding or pedigree of such stallion, jack or bull has been made or published by the owner or person in charge thereof, or by some other person, at the request or instigation of such owner or person in charge.

"Every claimant of a lien provided for in the preceding section must, within ninety days after the service on account of which the lien is claimed, file in the office of the county recorder of the county where the mare or cow subject thereto is kept, a verified claim containing a particular description of the mare or cow, the date and place of service, the name of the owner or reputed owner of such mare or cow, a description by name or otherwise, of the stallion,

jack or bull performing the service, the name of the owner or person in charge thereof, and the amount of lien claimed. Such claim, so filed, is notice to subsequent purchasers and encumbrances of such mare or cow and of the offspring of such service for one year after such filing.

"Action to enforce this lien may be brought in any county wherein any of the property subject thereto may be found, and at the time of issuing summons in such action the plaintiff may attach the animals on which his lien exists, as provided in code, by delivering to the clerk an affidavit, showing that the defendant is indebted to the plaintiff upon a demand for the service fee, and that the sum for which the attachment is asked is an actual bona fide existing debt, due and owing from the defendant to the plaintiff, and that the attachment is not sought, and the action is not brought, to hinder, delay or defraud any creditor or creditors of the defendant."

COLORADO.

Sec. 1 makes it unlawful to stand any stallion or jack for public service without having first obtained from the state board of inspection commissioners a license authorizing such public service. The license is good for one year and must state whether the stallion is purebred, registered or a grade stallion.

Sec. 2. Before any license is issued, an application must be made upon blanks provided by the state board stating whether the stallion is registered and evidence of such fact must accompany the application. The license will state in large type whether the stallion is registered or grade.

Sec. 3. With each application must be a certificate from a licensed veterinarian of the state, stating that the stallion or jack is not afflicted with any of the diseases known as roaring, ringbone, spasm, periodic ophthalmia (moon blindness) or any form of venereal diseases. No stallion or jack afflicted with any of the diseases mentioned may be licensed, and it is made unlawful for any person to stand any such stallion or jack for public service. The veterinary fee for examination is fixed at \$3.

Sec. 4 provides for a license fee of \$5 with renewal fee of \$2, the fees to be kept in a separate fund and known as the stallion fund.

Sec. 5 makes it the duty of the state veterinary surgeon to examine any animal, of which a complaint has been made that it is afflicted with any of the diseases named,

and if the animal is found to be so afflicted, the license shall be revoked.

Sec. 6 authorizes the money in the stallion fund to be used for special premiums at any fairs or stock shows held in the state and under rules and regulations to be made by the board.

Sec. 7. "Any person who shall offer the breeding service of any stallion or jack to the public in this state or make a charge for such service shall have a license as provided herein and shall keep such license posted in a prominent place on or near the stall where the said stallion or jack is kept, or if the stallion or jack is upon the road being vended for service, then the person in charge of said stallion or jack shall carry or exhibit such license to the owner in charge or care of any mare to be served by the said stallion or jack, and such license must be shown for the inspection of any person desiring the service of the stallion or jack, or who for any reason may desire to see such license."

Sec. 8. "The owner or owners of any licensed stallion or jack shall have a lien upon the get of any such stallion or jack until the service fee has been paid, and it shall be unlawful to sell or dispose of or remove from the county any colt upon which the owner of a licensed stallion or jack has a lien as provided for in this section without the written consent of such owner, nor shall any mare served by a licensed stallion or jack be sold or removed from the county prior to the payment of service fee without the written consent of the owner of the stallion or jack which served said mare."

Sec. 9. Violation of any of the provisions of this act is a misdemeanor and punishable by a fine not to exceed \$100 or imprisonment in the county jail not to exceed thirty days, or both at the discretion of the court.

CONNECTICUT.

There is no lien law in this state, but one who by false representations obtains the registration of any animal, or who knowingly gives a false pedigree of such animal, is liable to a fine of not to exceed \$100, or imprisonment for not more than one year, or both.

DELAWARE.

"From and after the passage of this act each and every colt in this state shall be liable for the service of the stallion, its sire. Provided, however, that in any and all

cases where the pedigree or qualities of the stallion is misrepresented by its owner or agent, then the foal shall not be liable for the service as aforesaid.

"In order for the owner or owners of any stallion to avail themselves of the benefits of this act, it shall be necessary for such owner or owners to have printed and posted, at ten of the most public places in the county in which the said stallion or stallions are to stand or travel, a full description and pedigree of his or their stallion or stallions, and to exhibit a copy to the owner or owners of any mare about to be served by such stallion." The stallioner must bring his action within sixty days after the foal is dropped, and after refusal to pay the fee. After judgment the lien reverts back to the day of the foaling of the colt and is prior to any other execution or mortgage.

DISTRICT OF COLUMBIA.

There is no lien given and no stallion regulation in the District.

FLORIDA.

"Owners of stallions, jacks or bulls shall have a lien of superior dignity upon the colt or calf of the get of said stallion, jackass or bull: provided however, that such service shall have been done upon the application of the owner of the mother of such colt or calf."

GEORGIA.

The owner or keeper of any stallion, jack or blooded or imported bull or boar in this state shall have a lien on the get thereof, for the service of such stallion, jack or blooded or imported bull or boar, for the period of one year from the birth of such get, which lien shall be superior to all other liens, except the lien for taxes. The lien herein provided for shall not become operative unless the same be recorded in the office of the clerk of the superior court of the county wherein the owner of the mother resides, within six months after the performance of the service, and the said clerk shall keep a book in which all such liens are to be recorded, and said clerk shall receive twenty-five cents each for recording such lien: provided, said animals shall be kept by the owners thereof inclosed in their own pasture or otherwise.

IDAHO.

Sec. 1. Any one owning a stallion or jack must comply with the provisions in this act before standing or using him for public service, or receiving compensation for same,

or offering to sell, dispose of, transfer, or in any manner part with him.

Sec. 2. Any one bringing a stallion or jack into the state must likewise comply with this act.

Sec. 3. An examination of all stallions and jacks shall be passed upon by the state veterinary surgeon or one of his assistants. The owner shall furnish the live stock sanitary board a certificate of pedigree and all necessary papers relating to his breeding and ownership. The presence of any one or more of the following shall disqualify a stallion or jack from obtaining a license: hemiplegia (roaring or whistling), chorea, stringhalt, bone spavin, bog spavin, ringbone, thoroughpin, enlarged sidebones, urethral gleet, ophthalmia, cribbing and curb when accompanied with curby hock, or any marked faulty or weak conformation which he is liable to transmit.

Sec. 4. The owner of any stallion or jack standing for public service or taking compensation for same or offering for sale, trade or to part with in any manner in the state of Idaho, shall post and keep affixed during the entire breeding season, or while he is for sale, copies of the license certificate issued under the provisions of this act, in a conspicuous place on the main door leading into every stable or public building where said stallion or jack is kept. Said copy shall be printed in bold-faced and conspicuous type, not small, especially the words "purebred" or "grade," and the unsoundness noted.

All license certificates for stallions and jacks issued under this act shall be presented to and recorded by the register of deeds of the county or counties in which such stallion or jack is used for public service or offered for sale.

The owner or owners of any sire receiving such certificate shall have a lien upon the mare served by such stallion or jack, and upon the offspring of mare served by such sire, for a period of eighteen months from the date of birth of the get. Said lien shall have priority over all other liens and encumbrances upon the get of any such sire, provided that said owner or owners shall within twenty months of the time of rendition of such service by said certified sire file for record a statement of account, properly verified, with the auditor of the county wherein the service has been rendered, and of the amount due such owner or owners for said service, together with the description of the female served. Upon the sale, exchange, removal, or disposition of such female

animal without consent of person holding the lien or with intent to defraud him, the owner of such female shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum, not more than \$50.

Sec. 5 gives the form for license certificates.

Sec. 6. Every bill posted or advertisement issued by the owner of any stallion or jack, for advertising the service for sale, shall contain a copy of his license certificate and shall not contain illustrations, pedigree or other matter that is an untruth or misleading.

Sec. 7. A fee of \$10 shall be paid the veterinary surgeon before making an examination, which he shall forward to the state treasurer, which fee includes the owner's copy of the license certificate. The license may be renewed for a fee of \$1 per year, and failure to pay the renewal fee forfeits the license. Upon the death of a registered animal, the owner must report to the secretary of the sanitary board and forward the license certificate.

Sec. 8. The certificate may be transferred or replaced with a duplicate for a fee of \$1.

Sec. 9. The board may cause a veterinary inspection, without charge, of any animal that it deems necessary, and if found to have any of the ailments mentioned in Sec. 3 the license may be revoked.

Sec. 10. Violation of any of the provisions in regard to the standing or using for public service is punishable by a fine of \$25 to \$100, or imprisonment for not less than fifteen or more than thirty days for each offense.

Sec. 11. Violation of any of the provisions in regard to offering for sale, disposing of, transferring or parting with a stallion in any manner, is punishable by fine not to exceed \$600 or imprisonment not to exceed one year, or both fine and imprisonment.

Sec. 12 makes it the duty of the county attorney to prosecute under this act.

Sec. 13 makes it the duty of the state veterinary surgeon to place the names of the owners, the postoffice address, and the name of the animals registered as "pure-breds" or "grades" in his annual report.

Sec. 14. Owners of stallions or jacks within the state on March 15, 1909, could secure a certificate which stated what unsoundness the veterinary surgeon found at the time of inspection.

ILLINOIS.

Sec. 1. Any stallion offered for public service in this state shall be enrolled in the office of the secretary of the Illinois State Board of Agriculture, and all license certifi-

ates recorded in the county or counties in which such stallion is used for public service.

Sec. 2 provides for the formation of a stallion registration board consisting of five members, the secretary of the State Board of Agriculture, the State Veterinarian, the president and secretary of the Illinois Horse Breeders' Association and the president of the Illinois Farmers' Institute, and defines the duties of the said board.

Sec. 3 requires the owner of a stallion to furnish an affidavit signed by a licensed veterinarian to the effect that he has personally examined such stallion and that to the best of his knowledge and belief the stallion is free from hereditary, infectious, contagious or transmissible disease or unsoundness, with the stud book certificate of registry and all other necessary papers relating to his breeding and ownership, before a license certificate will be issued to the owner.

Sec. 4 specifies the diseases which shall disqualify a stallion for public service. They are periodic ophthalmia (moon blindness), bone spavin, ringbone, bog spavin, curb when accompanied with curby formation of hock, or any other contagious or infectious disease.

Sec. 5 requires the keeping of a record of all stallions enrolled in the state of Illinois, such stallions to be classified as "purebred," "crossbred" or "grade," and allows the grant of a temporary license certificate without veterinary examination, upon affidavit of the owner that the horse is free from disease or unsoundness. These temporary licenses are good only until veterinary examination can reasonably be made.

Sec. 6 requires the posting, during the entire breeding season, of copies of the license certificate, both within and upon the outside of the main door where the stallion is used for public service. Each bill and poster and each newspaper advertisement must show the certificate number and state whether it reads "purebred," "crossbred" or "grade."

Sec. 7 directs the form in which the license certificates shall be made in the case of "purebred," "grade" or "crossbred" stallions as the case may be. A list of recognized stud books is given.

Sec. 8 provides a fee of \$2 for the enrollment of each stallion and for the issuance of the license, which is good for one year, and provides for the transfer of the certificate upon change of ownership of the stallion.

Sec. 9 provides that every stallion passing inspection shall be exempt from further examination unless there is

complaint that such stallion has some disease which was not evident at the time of the previous inspection. Such complaint should be filed with the secretary of the stallion registration board who has power to have another examination made. This section also gives the stallioner a lien on all colts sired by the stallion for a period of one year from the date of foaling.

Sec. 10 fixes a fine of from \$25 to \$100 for each violation of any of the provisions of this act.

Sec. 11 directs the use of the funds arising from fees collected under this act.

INDIANA.

Sec. 1. No person, firm, or company shall use or offer for use for public service any stallion or jack unless and until he shall have caused the name, description, breeding and pedigree of such stallion or jack to be enrolled by the stallion enrollment board hereinafter provided for, and shall have secured a certificate of such enrollment from said board. The word "stallion" wherever used in this act shall be construed to include jacks.

Sec. 2 and Sec. 3 provide for the appointment and duties of the members of the stallion enrollment board.

Sec. 4. In order to obtain the certificate of enrollment herein provided for, the owner of each stallion shall obtain a certificate of the condition of soundness of said stallion signed by a licensed veterinarian, who shall make oath to said certificate before a notary public or any officer duly authorized to administer oaths, and shall forward this certificate of the condition of soundness, together with the original stud book certificate of registry of pedigree of the stallion in case of purebred stallions, and a certified statement of the breed in all other cases, and in all cases all other necessary papers relating to his breeding and ownership, to the office of the secretary of the stallion enrollment board, upon inspection and verification of which, a certificate of enrollment shall be issued by the board. Any incurable, infectious or contagious disease with which the stallion may be afflicted shall disqualify said stallion for public service. Any transmissible unsoundness with which the stallion may be afflicted shall be named as such in said certificate of enrollment. The following diseases and unsoundness shall be defined as contagious, infectious, or transmissible, for the purposes of this act: recurrent ophthalmia (moon blindness); cataract; glaucoma; amaurosis; laryngeal

hemiplegia (roaring or whistling); pulmonary emphysema (heaves); chorea (crampiness); stringhalt; glanders; maladie du coit; urethral gleet; mange; bog spavin; bone spavin; curb, when associated with curby conformation of the hocks; ringbone; sidebone; and navicular disease. Certificate of the condition of soundness shall be made upon the application for the first certificate of enrollment, and every two years thereafter until the stallion is ten years old. After the date of the issuance of the first certificate of enrollment, certificate of the condition of soundness shall not be required again if the stallion is ten years' old or over, provided that in a case where the stallion is ten years old or over and at that time is sound and free from any and all incurable, infectious and transmissible diseases, as defined by this act and so shown on the certificate of enrollment issued, no subsequent certificate of soundness shall be required, unless said unsoundness shall be discovered by said board, in which event it may make such orders as it deems advisable, or unless a written notice shall be filed with said board, signed and sworn to by two freeholders of the county in which said stallion is owned and a licensed veterinarian, showing that said stallion is unsound and stating the particulars of such unsoundness. After a receipt of such notice said board shall mail a copy of the same to the owner of the stallion and shall appoint a licensed veterinarian to examine the said stallion and make a written report of the condition of soundness of said stallion to said board, which shall be paid for by the owner of said stallion. If said written report shall show any unsoundness or incurable, infectious, transmissible disease, as defined by this act, and the board shall find said written report to be true, or if said board on its own investigation shall find said stallion to be unsound, the owner of said stallion shall thereafter be required to furnish said board every two years with a certificate of soundness of said stallion, as herein provided. This section also names some 57 stud books that shall be recognized as standard.

Sec. 5. The stallion enrollment board is authorized in cases of emergency to grant temporary enrollment certificates without veterinary examination upon receipt of an affidavit of the owner stating the condition of soundness of his horse to the best of his knowledge and belief. Temporary certificates of enrollment shall be valid only until such time as veterinary examination can reasonably be made.

Sec. 6. Examination of condition shall be made by a duly qualified, licensed veterinarian who shall record the condition of soundness of the stallion examined and make affidavit thereto on regular blank forms supplied by the stallion enrollment board. He shall charge for this service a just and reasonable fee not in excess of \$5 for each stallion examined in a careful and thorough manner, same to be paid by the owner of said stallion. In case of any protest relative to the certificate of the condition of soundness, same shall be reduced to writing, signed by three freeholders of the county, and forwarded, together with a fee of \$5 to the stallion enrollment board, upon receipt of which said board shall cause the stallion to be re-examined by a duly qualified, licensed veterinarian appointed by the board. In case the protest is sustained, the cost of re-examination shall be paid by the owner of the horse, and the said protest fee returned, and in case the protest is not sustained, the cost of re-examination shall be paid by the protesting parties, on which cost said protest fee shall be applied.

Sec. 7. The enrollment certificates issued by the stallion enrollment board shall be designated by the board, and shall be in such form as to show the true breeding and condition of soundness of the stallions enrolled.

Sec. 8. The enrollment fee is \$3. The certificates expire on January 1 of each year and renewal must be made before March 15. The renewal fee is \$1. There is no charge for the transfer of enrollment if the owner furnishes a proper record of the sale or transfer. In case of loss or destruction of the certificate a new one will be issued for \$1.

Sec. 9. The owner of any stallion used for public service in the state shall post and keep affixed correct copies of the certificate of enrollment in conspicuous places both within and upon the outside of his home stable, and the stables or buildings where the stallion is used for public service at any farm or place away from his home. Every bill or poster issued by the owner of any stallion enrolled under this act, or used by him or his agent for advertising such stallion, shall contain a correct copy of his enrollment certificate printed in bold-face type not smaller than small pica. The first mention on said bill or poster of the name of the stallion, shall be preceded by the words "purebred," "grade," "crossbred," "standardbred," "non-standardbred" or "scrub," and the condition of soundness of said stallion indicated by the word "sound," or "un-

sound," in accordance with the wording of the enrollment certificate, and the same shall be printed in type not smaller than the largest type in which the name of said stallion shall be printed on said bill or poster in any place whatsoever. It shall be illegal to print upon any poster any misleading reference to the breeding or condition of soundness of said stallion, his sire or dam, or to use upon any such bill or poster, or in any other advertising matter whatsoever, the portrait of a stallion in a misleading manner. Every newspaper advertisement, postcard, circular letter, or other form of advertising matter whatsoever, of any stallion for public service shall show the enrollment certificate number and state whether said certificate reads "purebred," "grade," "crossbred," "standardbred," "non-standardbred" or "scrub," and the condition of soundness as stated in said enrollment certificate. All advertising that is found upon inspection by the secretary of the board to be at variance with the intent and purposes of this act shall be suppressed or corrected until it shall comply with the purposes and provision of this act, and the certificate of enrollment of the stallion for which such advertising is issued shall be temporarily revoked until such advertising is corrected, and fees charged for services of said stallion during such time shall be illegal and not subject to collection.

Sec. 10. Having complied with the provisions of this act, the owner of any stallion shall have a lien for the sum stipulated to be paid for the services thereof upon the offspring of such stallion by filing at any time within eighteen months after the date of service, a statement of the account thereof, together with a description as to color and white markings of the female served, and the name of the owner at the date of the service, in the recorder's office of the county wherein owner of said female resided at time of service. Such lien shall exist for a period of one year from the date of foaling of said colt, or if credit is given, from the expiration of the credit, and shall have priority over all other liens and encumbrances upon the offspring. Neither the mare nor the foal shall be sold within eighteen months after the date of service unless the service fee shall be paid, unless such sale shall be agreed to and approved in writing by the owner of the stallion at the time of the sale or transfer of the mare or foal. At any time after the offspring has been foaled, any person having such lien may enforce the same by filing his complaint before any jus-

HORSE REGISTERS.

American Association of Importers and Breeders of Belgian Draft Horses—J. D. Conner Jr., Wabash, Ind., Secretary.

American Breeders and Importers' Percheron Registry—John A. Forney, Plainfield, O., Secretary.

American Breeders' Association of Jacks and Jennets—J. W. Jones, Columbia, Tenn., Secretary.

American Clydesdale Association—R. B. Ogilvie, Stock Yards, Chicago, Secretary.

American Hackney Horse Society—Gurney C. Gue, Hempstead, L. I., N. Y., Secretary.

American Saddle Horse Breeders' Association—Roger H. Lillard, Louisville, Ky., Secretary.

American Shetland Pony Club—Julia M. Wade, Lafayette, Ind., Secretary.

American Shire Horse Breeders' Association—Chas. Burgess Sr., Wenona, Ill., Secretary.

American Stud Book (Thoroughbreds)—W. H. Rowe, 6 E. 46th St., New York, Registrar.

American Suffolk Horse Association—A. Graham Galbraith, DeKalb, Ill., Secretary.

American Trotting Register Co.—Frank E. Best, 137 S. Ashland Blvd., Chicago, Registrar.

Arabian Horse Club—H. K. Rush-Brown, Newburg, N. Y., Secretary.

Cleveland Bay Society of America—R. P. Stericker, Aurora, Ill., Secretary.

French Coach Horse Society of America—Duncan E. Willett, Oak Park, Ill., Secretary.

German, Hanoverian and Oldenburg Coach Horse Breeders' Association—J. Crouch, Lafayette, Ind., Secretary.

Morgan Horse Register—T. E. Boyce, Middlebury, Vt., Editor.

National French Draft Horse Association—C. E. Stubbs, Fairfield, Ia., Secretary.

Percheron Society of America—Wayne Dinsmore, Stock Yards, Chicago, Secretary.

Welsh Pony and Cob Society—Julia M. Wade, Lafayette, Ind.

art
ny
aid
the
me
nd
the
ing
alu-

ny
or
all
ees,
as

act
by
im-
ys,
ise.
nty
on.

or
ars
the
ree
fee

ack
uns-
by
of
eri-
or
af-
us,
and
ard
vill-
lom
nal
by
ner

sou
 cert
 sma
 stal
 plac
 pos
 diti
 to
 ver
 a
 pos
 ma
 sho
 sai
 "st
 co
 tif
 by
 in
 co
 vi
 st
 te
 a
 ti

a
 s
 t
 e
 c
 t
 t
 i
 t

tice of the peace, or in the circuit court or superior court of the county where the said notice of lien is filed, at any time within one year from the date of foaling of said colt, or if credit be given, from the expiration of the credit. If the lien shall not be enforced within the time prescribed by this section the same shall be null and void, and the court rendering judgment shall order the sale of the offspring to be made, and the officer making the sale shall sell the offspring without relief from valuation or appraisement laws.

Sec. 11. In all suits brought for the enforcement of any lien under the provisions of this act, if the plaintiff or lienholder shall recover judgment in any sum, he shall also be entitled to recover reasonable attorney's fees, which shall be entered by the court trying the same as a part of the judgment in said suit.

Sec. 12. Violation of any of the provisions of this act is hereby made a misdemeanor and shall be punished by a fine of not less than \$10, nor more than \$200, or by imprisonment in the county jail not more than sixty days, or by both such fine and imprisonment for each offense. It is the duty of the prosecuting attorney of the county in which the violation takes place to prosecute the action.

IOWA.

No one shall offer for public service, sale, exchange or transfer, as registered, any stallion or jack over two years old, except he have a certificate of enrollment from the State Board of Agriculture. The certificate of pedigree must accompany the application for enrollment, the fee being \$1.

The owner or keeper of each and every stallion or jack over two years old kept for public sale, exchange or transfer shall cause said stallion or jack to be examined by a duly qualified veterinarian, who shall be a graduate of a recognized college and registered as a graduate veterinarian by the Iowa Board of Veterinary Examiners, or veterinarian licensed by said board, who shall make affidavit that such animal is free from hereditary, infectious, contagious or transmissible disease or unsoundness, and shall file the same with the secretary of the State Board of Agriculture. Any veterinarian who knowingly or willfully makes a false report upon the disease or freedom from disease, or soundness or unsoundness of the animal brought to him for examination, shall be punished by the revocation of his veterinarian's certificate. The owner

or keeper of each and every stallion or jack over two years old kept for public service or sale, exchange or transfer, shall, between the dates of January 1 and April 1 of each year after their first registration, make application for the renewal of the certificate in the form and manner as above described.

"The presence of any one of the following named diseases shall disqualify a stallion or jack for public service, and no certificate shall be issued by the secretary of the State Board of Agriculture: glanders; farcy; *maladie du coit*; coital exanthema; urethral gleet; mange; melanosis; blindness; cataract; bone spavin; ringbone; and periodic ophthalmia (moon blindness). Stallions or jacks possessing any of the following named unsoundnesses may receive a certificate, but each certificate and every advertisement shall state in large type or writing that the stallion or jack is unsound and shall specify the unsoundness or unsoundnesses which said stallion or jack has: amaurosis; laryngeal hemiplegia (roaring or whistling); pulmonary emphysema (heaves); broken wind; bog spavin; sidebone; navicular disease; curb, with curby formation of hock; chorea (*St. Vitus dance*), crampiness, shivering, and stringhalt. In cases where stallions or jacks possess any of the above named unsoundnesses in a very aggravated or serious form, the department of agriculture may upon investigation disqualify such stallion or jack from public service, if they consider him so unsound as to be unfit for breeding purposes."

The owner or keeper of a registered stallion or jack over two years old, offered for public service or for sale, exchange or transfer, and who represents such animal as registered, shall keep a copy of the registration certificate upon the door or stall or the stable where such animal is kept, and every advertisement shall contain a copy of such certificate or the substance thereof. Where certificates of registration were issued by the State Board of Agriculture prior to Jan. 1, 1912, an additional certificate of registration is not required, but application for certificate of soundness must be made as before specified. Any owner or keeper of a stallion or jack over two years old, other than registered, offered for public service or for sale, exchange or transfer, must secure certificates of soundness from the secretary of the State Board of Agriculture, and advertise said stallion or jack by having and posting handbills or posters not less than 5 by 7 inches in size, and said bills or posters must have printed

thereon, immediately preceding or above the name of the stallion, the words "grade stallion" (or jack), in type not smaller than 1 inch in height, said bills or posters to be posted in a conspicuous manner at all places where the said stallion or jack is kept for public service, sale, exchange or transfer, together with a copy of the certificate of soundness issued by the secretary of the State Board of Agriculture. Where such animals are advertised, each and every advertisement shall contain a copy of the said certificate or the substance thereof, and the words "grade stallion" (or jack). Upon an investigation by the State Board of Agriculture an examination may be made by a commission consisting of the state veterinarian, or his duly authorized deputy, and a recognized graduate or licensed veterinarian, selected by the owner, and a third named by these two. If two or three of the experts declare the animal is eligible to receive and retain a license, then the expense of the consultation shall be paid by the State Board of Agriculture, and if they find that the animal is not eligible, the expense shall be paid by the owner.

Upon sale, the certificate may be transferred by the payment of a fee of 50 cents.

"Every person, firm, company or corporation importing from foreign countries any stallion or jack into the state of Iowa for public service, sale, exchange or transfer shall secure certificates of freedom from diseases and unsoundness from a duly qualified or licensed veterinarian in this state, certifying that said animal is free from any or all diseases and unsoundnesses enumerated in Sec. 3 of Chapt. 100 of the acts of the twenty-fourth general assembly as herein amended. Said certificate must be filed with the secretary of the State Board of Agriculture, who shall issue a certified copy of said certificate of soundness without charge to said importer which shall serve as a temporary permit to offer said stallion for public service, sale, exchange or transfer until such time as original certificate of pedigree can be produced and state certificate of enrollment and soundness issued. Said temporary permit shall be invalid after ninety days from date of issue."

No stallion or jack shall be brought into the state of Iowa from any other state unless accompanied by a certificate of soundness issued by a duly qualified veterinarian who must be approved by the state veterinarian of the state in which the animal is purchased, such examination

to cover all diseases and unsoundnesses specified in Sec. 3 of Chapt. 100 of the acts of the twenty-fourth general assembly as herein amended. Said certificate must be filed with the secretary of the State Board of Agriculture, who shall issue a permit admitting said stallion or jack into the state.

On and after July 4, 1913, no railroad company, transportation company or common carrier shall transport into the state of Iowa, except for exhibition or racing purposes, any stallion or jack unless accompanied by a state veterinarian's certificate as provided in Sec. 4 of this act. Violation of this provision shall be punished as provided in Sec. 8 of Chapt. 100 of the acts of the twenty-fourth general assembly.

Any stallion or jack six years old or over and having successfully passed veterinary examinations for soundness for two consecutive years shall be entitled to a permanent state certificate of soundness. The last examination must have been made within the year in which said certificate was granted, provided however, that said permanent certificate must be returned each year to the secretary of the State Board of Agriculture with a fee of \$1 for renewal, and must be accompanied by a certificate signed by a duly qualified or licensed veterinarian that said animal is free from contagious, infectious or communicable diseases.

The owner of any blind stallion or jack may upon application have the same examined at the expense of the owner of said animal by a board of three examiners, one to be the state veterinarian or his duly authorized deputy, one to be selected by the owner of the animal who shall be a graduate or licensed veterinarian, and these two shall appoint a third graduate or licensed veterinarian who shall act with them. If upon examination and proof furnished, all three or any two members of said board declare that such blindness was caused by accident or disease not transmissible, then upon affidavit of said board the secretary of the State Board of Agriculture shall be authorized to issue a state certificate.

"Any person who shall fraudulently represent any animal, horse, cattle, sheep, or swine to be registered, or any person who shall post or publish, or cause to be posted or published, any false pedigrees or certificates of soundness, or shall use any stallion or jack over two years old for public service, or sell, exchange or transfer any stallion or jack over two years old, representing such

animal to be registered, without first having such animal registered and obtaining the certificate of soundness from the State Board of Agriculture, as hereinbefore provided, or who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and be punished by a fine of not more than \$100, or imprisoned in the county jail not exceeding thirty days, or by both fine and imprisonment."

The owner or keeper of a stallion kept for public service, who has complied with the above provisions, shall have a prior lien upon the progeny of such stallion to secure the amount due such owner or keeper for the service of such stallion, resulting in such progeny, provided, that where such owner or keeper misrepresents such stallion by false pedigree no lien shall be obtained. The lien herein provided for shall remain in force for a period of six months from the birth of said progeny and shall not be enforced thereafter.

The owner or keeper of such stallion may enforce the lien herein provided for by placing in the hands of any constable an affidavit containing a description of the stallion and a description of the dam and the time and terms of service, and the said constable shall thereupon take possession of the progeny and sell the same for non-payment of the service fee by giving the owner of the progeny ten days' written notice, which notice shall contain a copy of the affidavit and a full description of the progeny to be sold, the time and hour when, and the place at which the sale shall take place, and posting for the same length of time in three public places in the township of such owner's residence a copy of such notice. If payment of the service fee and costs are not made before the date thus fixed, the constable may sell the progeny at public auction to the highest bidder and the owner or keeper of the stallion may be a bidder at this sale. The constable shall apply the proceeds, first in the payment of the costs, second, in the payment of the service fee. Any surplus arising from the sale shall be returned to the owner of the progeny. The right of the owner or keeper to foreclose, as well as the amount claimed to be due, may be contested by anyone interested in so doing, and the proceedings may be transferred to the district court, for which purpose an injunction may issue, if necessary.

KANSAS.

Sec. 1. Any one who stands, travels, advertises or offers for public service any stallion, must secure a license

certificate from the Kansas State Live Stock Registry Board.

Sec. 2. To obtain a license certificate as herein provided, the owner of such stallion shall comply with the following requirements: First, the owner of a purebred stallion shall forward to the Kansas State Live Stock Registry Board for inspection the registry certificate or certified copy of the registry certificate of such stallion, also other necessary papers or documents relating to the breeding and ownership of such stallion. Second, owners of crossbred or grade stallions shall forward to the Kansas State Live Stock Registry Board affidavit showing the breeding of such stallion. Third, owners of scrub stallions shall forward to the Kansas State Live Stock Registry Board a statement of the breeding of such stallion. Fourth, the fee for such stallion license shall be \$2 and said fee shall accompany each application for license: provided, however, that in case the stallion was licensed previous to July 1, 1913, under provisions of Chapt. 168, Laws 1909, the fee for a new license shall be \$1.

Sec. 3. The board has the power to revoke any license if it is found that the license does not truly represent the horse for which it was issued.

Sec. 4. Four kinds of licenses are issued: "purebred," "crossbred," "grade" and "scrub."

Sec. 5. The board is required to use as its standard the stub books of registry associations certified by the United States Department of Agriculture, or future associations satisfactory to the board.

Sec. 6. Each license expires on Dec. 31 of each year and application for renewal must be made before March 1 following, accompanied by a fee of \$1 and satisfactory evidence of the identity of the stallion. If application is not made before March 1, the right to renewal is forfeited and the owner must procure a new license as provided in Sec. 2.

Sec. 7. The license certificate shall contain the following information: license number, registration number, breed, color, age, pedigree, name and address of owner, date of issue, the seal of the Kansas State Live Stock Registry Board, and the signature of the secretary of the Kansas State Live Stock Registry Board. The license for a crossbred, grade, or scrub stallion shall contain the following information: license number, statement of breeding, color, age, name and address of owner, date of issue,

seal of the Kansas State Live Stock Registry Board, and the signature of the secretary of the Kansas State Live Stock Registry Board.

Sec. 8. Every bill, poster, or other advertisement of every kind or nature, issued by the owner, keeper, or person in charge of any stallion enrolled and licensed under this act and used to advertise such stallion by said owner, keeper or person in charge, shall have as a heading for such advertisement the class of license issued for the said stallion and the number of his license, thus: "Purebred License No.....," or "Scrub License No.....," as the case may be. In all advertisements this heading shall be set in the largest and boldest type used in the advertisement.

Sec. 9. The owner, keeper, or person in charge of any stallion standing for public service in this state shall post and keep affixed during the entire breeding season, the license certificate of each stallion issued under the provisions of this act, in a conspicuous place in each stable or building where said stallion stands for public service.

Sec. 10. Upon transfer of ownership of any stallion licensed under the provisions of this act, the new owner shall forward to the office of the Kansas State Live Stock Registry Board the license issued in the name of the former owner, together with the fee of 50 cents, and satisfactory evidence that the stallion transferred is the one for which the license was originally issued. It shall then be the duty of the Kansas State Live Stock Registry Board to record such transfer and issue a license in the name of the new owner.

Sec. 11. The county clerk of each county is required to file with the board a list of stallions and owners in his county, before July 1 of each year, and also to report the total number of horses in his county.

Sec. 12. It shall be optional with owners, keeper, or persons in charge of stallions standing for public service whether or not said stallions shall be examined for soundness, but no stallion shall be advertised in any manner either directly or indirectly as a sound stallion until a certificate of soundness has been issued for said stallion by the Kansas State Live Stock Registry Board, and then said stallion may be advertised as sound only during the life of the certificate of soundness. This certificate of soundness shall become null and void, and not in force on Dec. 31 of the year during which it is issued. The

fee of each certificate of soundness shall not exceed \$2 for each stallion.

Sec. 13. Violation of any of the provisions of the law is punishable by a fine of not less than \$20 nor more than \$50 for each offense.

KENTUCKY.

To stand a stud horse, jack or bull, a license fee must be paid equal to the greatest sum charged for the service of the animal, whether for insurance or season. Such license expires on Dec. 31 after it is granted. A reduction is made for animals brought into the county after July 1. The penalty of standing without license is a fine of from \$50 to \$1,000.

The licensed keepers of stallions, jacks or bulls shall have a lien upon the get of such stallion, jack or bull for one year after the birth of the same for the payment of the service fees; but the get of such animals shall not be subject to the lien when a receipt for said service is shown by the owner of such get.

LOUISIANA.

"No person or association of persons shall be permitted to stand any stud horse, jack or bull in this state without having first obtained a license from the parish or municipal corporation in which such stud horse, jack or bull shall stand; which license shall be equal in amount to the greatest sum charged for the services of the same; provided that no person or association of persons who shall stand any stud horse, jack or bull without having first obtained the license provided for in this section, shall be permitted to recover any amount for such service.

"Any person or association of persons who shall stand any stud horse, jack or bull in compliance with the terms of this act, shall have a lien and privilege upon the issue of said stud horse, jack or bull for the period of one year, which lien and privilege shall prime all others."

MAINE.

"The owner or keeper of any stallion for breeding purposes, before advertising, by written or printed notices, the service thereof, shall file a certificate with the register of deeds in the county where said stallion is owned or kept, stating the name, color, age and size of same, together with the pedigree of said stallion as fully as obtainable, and the name of the person by whom he was bred. Who-

ever neglects to make and file such certificate shall recover no compensation for said services, and, if he knowingly and willfully makes and files a false certificate of the statements aforesaid, he forfeits one hundred dollars, to be recovered by complaint, indictment or action of debt, to the county where the offense is committed. * * * Whoever knowingly exhibits, makes or gives a false pedigree of any animal, shall be punished by imprisonment for not more than ninety days, or by fine not exceeding three hundred dollars, or by both such fine and imprisonment."

MARYLAND.

STATUTE OF 1908.—Sec. 177. Every owner or agent who may have the custody or control of any stallion or jack, who shall charge a fee for the services of such stallion or jack, shall, before advertising or offering for service to the public for any fee, reward or compensation, file with the clerk of the circuit court for the county in which such owner or owners, agent or agents reside, or in which such stallion or jack shall be kept for service, or if such service shall be offered in the city of Baltimore, then with the clerk of the Court of Common Pleas, a written statement giving the name, age, pedigree and record, if known, and if not known, then that the same is unknown, the description, terms and conditions upon which such stallion or jack shall serve. Upon filing such statement, the clerk of the circuit court for the county, or the Court of Common Pleas of Baltimore, as the case may be, shall issue a certificate of license that such statement has been filed in his office; the owner or agent of such stallion or jack shall then post a written or printed copy of the statement so filed with the clerk, in a conspicuous place in each locality in which said stallion or jack shall be kept for service.

Sec. 178. Any one who does not comply with the provisions of the preceding section, and who publishes a false pedigree or record or statement of any kind regarding the stallion or jack, forfeits all fees.

Compliance with this act gives the owner of the stallion or jack a lien for the service fee on both mare and foal. A statement of lien must be filed in the office of the clerk of the court of the county where the mare-owner resides, or if the owner is a resident of Baltimore, then with the clerk of the Superior Court of Baltimore. It must be filed within twelve months from the date of service, except in the county of Kent where a special law extends the time of filing to eighteen months and directs the clerk of the

circuit court to keep a docket for the entry of claims for lien. The lien terminates within six months from the date of filing. This act of 1908 is regulative.

STATUTE OF 1888.—Sec. 118. The owner or keeper of every stallion or jack shall, before standing such animal, pay to the clerk of the circuit court for some one of the counties the highest sum he intends to ask or receive for the season of one mare, and the receipt of said clerk, with the seal of court attached, shall be his license for standing such stallion or jack for one year from its date; but no such license fee shall be less than \$10. The stallion or jack upon which such tax is paid is exempt from other state tax.

Sec. 119. Anyone standing a stallion or jack without a license forfeits twice the sum required to be paid, one-half going to the state and the other half to the informer, the sheriff seizing the animal to realize the sum.

This law of 1888 requires a license and would seem to be superseded by the law of 1908, but it is retained in the compilation of 1911 and is therefore included here.

MASSACHUSETTS.

"The owner or keeper of a stallion for breeding purposes shall, before advertising the service thereof, file a certificate of the name, color, age, size and pedigree, as fully as obtainable, of said stallion, and of the name of the person by whom he was bred, with the clerk of the city or town in which said stallion is owned or kept, who shall, upon payment of a fee of twenty-five cents, record the same in a book to be kept for that purpose. Whoever neglects to make and file such certificate shall recover no compensation for the services of his stallion, and whoever knowingly and willfully makes a false certificate shall be punished by a fine of \$100 for each offense."

MICHIGAN.

Anyone offering for public service any stallion shall cause the name, description and pedigree to be enrolled by the state veterinary board and shall procure a certificate of such enrollment. This does not apply to stallions not claimed to be by purebred sires or dams.

The owner of the stallion to be enrolled shall forward the stud book certificate of registration, and any other documents that may be necessary to define and describe the stallion, his breeding and ownership. Upon verification of the pedigree or certificate of breeding, the license certificate will be issued to the owner, copies of which the owner

must post and keep affixed during the entire breeding season in a conspicuous place both within and upon the outside of every building where such stallion is kept for public service.

Every bill or poster issued by the owner of any stallion licensed under the provisions of this act, or used by him or his agent for the purpose of advertising such stallion, shall contain a copy of the certificate of enrollment of such stallion, and said bills or posters shall not contain illustrations, reference to pedigree, or other statements that are untruthful or misleading. Reference to such stallion in newspapers, stock papers and other advertising mediums shall contain the name of such stallion, number of certificate of enrollment, and shall designate in letters not smaller than pica whether said certificate reads "purebred," "grade," or "non-standardbred."

The statute prescribes the form of certificate to be issued to the purebred, grade, and non-standardbred stallion.

"Every stallion brought into this state from another state or from a foreign country to be offered for sale or for public service shall, before any such sale or use is made, be examined by the state veterinary board or its regularly appointed representative, and certified by said board or its representative that said stallion is free from hereditary, contagious or transmissible disease or unsoundness and is of good conformation and breed type and suitable to improve the horse stock of the state."

Violation of this act is punishable by a fine of not less than \$25 nor more than \$300, or by imprisonment in the county jail for not more than thirty days or by both fine and imprisonment.

The new law does not give a lien, but there being in it nothing inconsistent with the lien of the old law, that still remains. Under it a stallioner has a lien on the get for six months after its birth if he puts bills and posters conspicuously at all places where the stallion is stood for service and at least three along the route that is traveled by the stallion. These posters must contain a correct statement of the age and breeding of the stallion and of the terms of service.

MINNESOTA.

Sec. 1. Anyone standing any stallion for public service shall cause the name, description and pedigree to be enrolled by the stallion registration board. All license certificates for stallions issued under this act shall be presented to and recorded by the register of deeds of the

county or counties in which such stallion is used for public service.

Sec. 2 establishes a stallion registration board.

Sec. 3. In order to secure the license certificate, the owner shall present an affidavit from a qualified, licensed and reputable veterinarian to the effect that he has personally examined such stallion and that to the best of his knowledge and belief the stallion is free from infectious, contagious or transmissible disease or unsoundness. The owner must also furnish to the board the stud book registry certificate and all other necessary papers relating to his breeding and ownership. The presence of any one or more of the following named diseases shall disqualify a stallion from public service and are defined as infectious, contagious or transmissible disease or unsoundness for the purposes of this act: cataract, amaurosis, laryngeal hemiplegia (roaring or whistling), chorea (St. Vitus dance), crampiness, shivering, stringhalt, bone spavin, ringbone, sidebone, glanders, farcy, *maladie du coit*, urethral gleet, mange, melanosis, and curb when accompanied by curby hock. The presence of any of these diseases will prevent the issuance of a license and is cause for revoking a previously issued license.

Sec. 4. The board, in cases of emergency, may grant a temporary license certificate without veterinary examination upon receipt of an affidavit of the owner to the effect that to the best of his knowledge and belief the horse is free from infectious, contagious or transmissible disease or unsoundness. Temporary licenses are good only until veterinary examination can reasonably be made.

Sec. 5. "The owner of any stallion standing for public service in this state shall post and keep affixed during the entire breeding season copies of the license certificates of such stallion, issued under the provisions of this act, in a conspicuous place upon the main door leading into every stable or building where the said stallion stands for public service. Said copies shall be printed in bold-faced conspicuous type, not smaller than small pica, especially the words 'purebred,' 'grade,' etc."

Sec. 6 gives the form of certificates for purebred and grade stallions.

Sec. 7. Every bill, poster or advertisement of any stallion licensed under this act or used for advertising such stallion shall not contain illustrations, pedigrees or other matter that is untruthful or misleading.

Sec. 8. The fee for registration and enrollment is \$2. with a renewal fee of \$1 per year. Stallions shall be ex-

amined every four years until ten years of age and after the first examination shall be exempt from further examination at ten years of age or over.

Sec. 9. The license certificate may be transferred for a fee of 50 cents.

Sec. 10. Violation of any of the provisions of this act is punishable by a fine of not less than \$25 nor more than \$100 for each offense.

Sec. 11 directs the disposition of the fees and requires the board to make an annual report to the governor of the state.

Owners of any stallion, jack, bull or boar kept for public service have a lien upon the offspring for the price or value of such service. To preserve this lien, the holder, within six months after service, shall file for record with the clerk of the town where the female bred to such animal may be, a verified statement containing a description of the female, stating the time and place of service, and the amount due, and a certified copy of such statement is sufficient to authorize the lien-holder to take possession of the offspring at any time within one year after its birth, and to foreclose his lien by advertisement and sale as in case of a chattel mortgage.

MISSISSIPPI.

A privilege tax of \$10 is imposed on all stallions or jacks which stand for fee. The owner of a stallion, jackass or bull has a lien on its offspring for the price agreed to be paid therefor, and may enforce such lien in the manner provided for enforcing the lien of stable keepers, subject to all of the provisions of the chapter on that subject. "But if the owner shall have falsely represented the breeding, registration, or pedigree of his stallion, jackass or bull, by advertisement or otherwise, he shall not have a lien * * * as against any person who acted under the belief that such representation was true; and, in such case, the owner of the animal shall not have any claim for the service of the stallion, jackass or bull."

This lien runs for twelve months after the birth of offspring and is good against the world, including subsequent purchasers for a valuable consideration without notice.

MISSOURI.

The owner or keeper of any stallion, jack or bull may advertise the terms upon which he will let any such animal to service, by publication in some newspaper of the county where the animal is kept, for sixty days during

the season of each year, or by printed hand-bills conspicuously posted during such period, in four or more public places in the county, including the place where the animal is kept; and such publication or posting shall impart notice thereof to the owner of any female served by such sire during that season, and the owner of the female served shall be deemed to have accepted and assented to the said terms, when so published or posted.

"When the terms of service as posted or published shall provide that the offspring of the service will be held for the service fee, the owner of the sire shall have a lien on the offspring of any female served, for the period of one year after the birth thereof, which said lien shall be preferred to any prior lien, mortgage or incumbrance whatever; and the publication or posting shall be deemed notice to any third party of the existence of such lien.

"Any person who shall sell, convey or dispose of any animal upon which there exists a lien as created in the preceding section, without informing the person to whom the same is sold or conveyed that such lien exists, or who shall injure or destroy such animal, or aid or abet the same, for the purpose of defrauding the lienor, or who shall remove or conceal, or aid or abet in removing or concealing such animal with intent to hinder, delay or defraud such lienor, shall be deemed guilty of a misdemeanor."

The giving of a false pedigree or falsely representing the animal to be eligible to registry forfeits all claim for service fee, and all benefit of the lien law. The stallioner may enforce his lien by replevin.

MONTANA.

Sec. 1. Anyone standing a stallion or jack for public service shall cause the name, description and pedigree to be enrolled by the stallion registration board and secure a license from the board.

Sec. 2 establishes a stallion registration board, which shall hold an annual meeting at the college of agriculture in Bozeman the first Tuesday of February, and other meetings as may be necessary.

Sec. 3 fixes who shall compose the board.

Sec. 4. To obtain a license certificate the owner of the stallion or jack shall furnish to the board a certificate of soundness, the registry book certificate of pedigree, and all other necessary papers relating to his breeding and ownership. "The presence of any one or more of the following named diseases shall disqualify a stallion or jack

from public service, except such stallions or jacks as were in public use, or held for sale or public use March 8, 1909; such diseases or unsoundness (are) hereby defined as infectious, contagious or transmissible diseases or unsoundness for the purposes of this act: cataract, amaurosis, laryngeal hemiplegia (roaring or whistling), chorea (St. Vitus dance), crampiness, shivering, stringhalt, bone spavin, ringbone, sidebone, glanders, farcy, maladie du coit, urethral gleet, mange, melanosis, and curb where accompanied by curby hock."

The board is authorized to refuse a certificate to any stallion or jack infected with any one of the diseases named, and may revoke a previously issued certificate for the same cause except for stallions or jacks in the state March 8, 1909. No stallion or jack may stand for public service which is deformed or so badly diseased as to be unfit for breeding purposes.

Sec. 5. Temporary certificates may be granted without veterinary examination upon affidavit of the owner that to the best of his knowledge and belief said stallion or jack is free from infectious, contagious or transmissible disease or unsoundness. A temporary license is good only until veterinary examination can reasonably be had. Stallions or jacks in the state previous to March 8, 1909, shall have described in their license certificate any hereditary disease or unsoundness referred to in Sec. 4.

Sec. 6. For any stallion or jack imported into the state for breeding purposes, the importer shall first secure a certificate from a recognized state or federal veterinary officer certifying that such animal is free from any disease or unsoundness referred to in Sec. 4. A copy of this certificate must be mailed to the secretary of the stallion registration board at Bozeman, Mont., at least ten days before the importation of such animal. No stallion or jack which is neither "purebred" nor "grade" according to the meaning of this act, shall be imported for breeding purposes.

Sec. 7. "The owner of any stallion or jack standing for public service in this state shall post and keep affixed during the entire breeding season copies of the license certificate of such stallion or jack, issued under the provisions of this act, in a conspicuous place upon the main door leading to every stable or building where said stallion or jack stands for public service. Said copies shall be printed in bold-faced and conspicuous type, not smaller than small pica, especially the words 'purebred,' 'grade,' etc."

Sec. 8 gives the forms for certificates of "purebred" and "grade" stallions or jacks.

Sec. 9. "Every bill, poster or advertisement issued by the owner of any stallion or jack licensed under this act, or used by him for advertising such stallion or jack, shall contain a copy of his license certificate and shall not contain illustrations, pedigrees or other matter that are untruthful or misleading."

Sec. 10. The fee for the veterinary examination and enrollment of pedigree and issuance of license certificate is \$15 for "purebred" and \$10 for "grade" stallions or jacks. The renewal fee is \$2. Stallions or jacks shall be examined every four years, until ten years of age and, after the first examination, shall be exempt from further examination at ten years of age or over.

Sec. 11. The certificate may be transferred for a fee of \$1.

Sec. 12. Knowing or willful violation of any of the provisions of this act is punishable by fine of from \$50 to \$200, or by imprisonment not less than thirty days or more than six months, or by both fine and imprisonment.

Sec. 13 directs the disposition of funds accruing from the fees.

Sec. 14 directs the board to make annual report to the governor of the state.

Sec. 15. "No part of this act shall apply to stallions turned upon the open range, and the term 'standing for public service' is hereby defined as the service of a stallion for a fee when said stallion is stood at one or more places for public use where in all more than five mares are served in one season."

Sec. 16 prohibits any transportation company from bringing into the state any stallion or jack unless accompanied by a veterinary certificate as provided in Sec. 6.

By conflicting provisions the new law repeals a part of the old, but in order to have a lien the stallioner must comply with the part of it that follows:

Every owner or agent who may have the control of any stallion, who shall charge a fee for the service of such stallion, shall, before offering or advertising such services to the public for any fee, reward or compensation, file with the clerk of the county in which owner or owners or agents reside, or where such stallion shall be kept for service, a written statement, giving the name, age, pedigree and record if known, if not that the same is unknown, description, terms and conditions upon which such stallion will serve. Upon filing such statement the county clerk shall

issue a certificate or license to the owner or owners or agents, having custody and control of such stallion, that such a statement has been filed in his office. The owner or owners or agents of such stallions shall then post a written or printed notice of a copy of the statement so filed with the county clerk in a conspicuous place in each locality in which said stallion shall be kept for service.

Whenever the owner or agent of any stallion shall have complied with the foregoing provisions for this act, the services of such stallion shall become a lien on each mare served, together with foal of such mare served, from such service in any amount agreed upon between the parties at the time of service; or, if agreement was not entered into by them, in such amount as specified as service fee of stallion or stallions in the statement of the owner or agent filed with the county clerk; provided a notice of lien shall be filed within twelve months after such service; such lien shall terminate at the end of the year from the date of filing notice thereof, unless within that time an action shall be commenced for the enforcement thereof.

The owner of any mare so served, or foal of any mare resulting from such service upon which there exists a lien on file for stallion service, as herein provided, who shall sell, dispose of, mortgage or otherwise encumber, or conceal such mare or foal, without the written consent of the person or persons having such lien, with the intent to deprive the owner or holder of such lien of his security had thereby, is guilty of a misdemeanor, and is punishable by a fine of not less than \$25 and not more than \$200 or by imprisonment in the county jail not less than 10 days and not more than 90 days, or by both such fine and imprisonment.

NEBRASKA.

Sec. 1. The owner of every stallion or jack kept for public service, or for sale, exchange, or transfer, who represents such stallion or jack to be fit for service, and every owner or keeper of a stallion or jack kept for sale, exchange, or transfer shall procure a certificate from the stallion registration board and keep it, or an exact copy thereof, posted in a conspicuous place within every building in which the stallion or jack is kept for service and shall mention the same in all advertisements.

Sec. 2. In order to obtain such certificate, there shall be presented to such stallion registration board an affidavit, signed by a veterinarian who is not interested in

the buying or selling of horses who shall be approved and appointed by said board, to the effect that he has personally examined such stallion or jack and that to the best of his knowledge and belief such stallion or jack is free from such hereditary, infectious, contagious or transmissible diseases as: urethral gleet, melanosis, periodic ophthalmia (moon blindness), laryngeal hemiplegia (roaring or whistling), dourine, glanders, farcy, or serious defect in general conformation. If the stallion or jack is purebred there shall be presented also a certificate of registration of such stallion issued by one of the stud books and associations recognized by the Department of Agriculture in Bureau of Animal Industry Order No. 175 (Nov. 25, 1910), and Amendment No. 1 thereto (Dec. 30, 1910), the list being given in the statute.

Sec. 3 describes forms of certificate for purebred, crossbred and grade, which must state the diseases if the animal is unsound.

Sec. 4. No stallion or jack which may come into the state of Nebraska shall be given a certificate if such stallion or jack is affected with one or more of the following diseases: urethral gleet, melanosis, periodic ophthalmia (moon blindness), laryngeal hemiplegia (roaring or whistling), cataract, amaurosis (glass eye), chorea (St. Vitus dance), stringhalt, bone spavin, bog spavin, ringbone, sidebone, curb (with curby formation of hock), or is seriously defective in conformation or of vicious disposition.

Sec. 5. Every stallion or jack shall be re-examined by an authorized veterinarian each year and the board has power to revoke the certificate for cause. Every stallion or jack which has been granted a certificate by the stallion registration board shall be re-examined by an authorized veterinarian each year thereafter and said board shall have the power to revoke certificates for cause; exceptions: stallions over eight years of age having had three prior annual sound certificates from this board shall be exempt from further examinations, except for contagious or infectious disease, upon display of age certificate issued by the stallion registration board, age to date from Jan. 1 of the year of its birth. Every certificate except "transfer" shall be for the calendar year. Colts less than eighteen months old are not classified as stallions and are not subject to inspection except by request of owner or agent.

Sec. 6. The certificate or a copy thereof must be kept posted during the entire breeding season in a conspicuous place both within and upon the outside of the main door of every shed or building in which such stallion or jack is kept for service.

Sec. 7. No owner or keeper of a stallion not of pure breeding shall permit the printing, publishing or circulating of any bill, poster, card, newspaper advertisement or other advertisement calling the attention to said stallion as a breeder, unless the same shall have the words "grade stallion" in 2-inch type immediately preceding such name.

Sec. 8. The stallion registration board shall keep a record of certificates and the issuance, refusal or revocation of the same.

Sec. 9. A certificate of transfer will be issued to the new owner in case of sale of the animal.

Sec. 10. The fee for the certificate is \$5, for each renewal \$3, for transfer 25 cents, and for age certificate \$2. If the owner or lessee fails to deliver his animal for inspection on the day and at the place designated by the board, the fee for such inspection may in the discretion of the board be doubled.

Sec. 11. Directs the disposition of the funds accruing from inspection fees.

Sec. 12. Violation of any of the provisions of this act is punishable by a fine from \$50 to \$100, or imprisonment not to exceed 30 days, or both.

A separate act gives a lien for the services of stallion, jack or bull upon dam and offspring, for the full amount of the reasonable or agreed value or price of service. To perfect the lien a verified notice of lien must be filed in the office of the county clerk, describing the animal with reasonable certainty, giving the name of the owner and his place of residence if known, and the name and residence of the person having the possession of such animal, the terms of payment for such service, the amount thereof, the name of the male, the date of the service, and the time or event when the same shall become due and payable and such other matters as to make the same more certain. Thereafter such lienor shall have a first lien upon such animal or animals described therein, and their offspring as soon as the same may be born, subject, however, to the lien of record of any prior mortgage in good faith.

Any owner of any stallion, jack or bull within the state may file with the county clerk of any county therein on or before Oct. 1, of each year a full and complete list of the mares or cows served by such male within such county during that year. Such list shall contain the name of and a brief description of all animals so served, the owners thereof, the terms on which each was bred, the amount of money due or to become due upon each, and the time when payment thereof becomes due, and it shall be verified by the owner of such stallion, jack or bull or his lawfully authorized agent.

From the time of filing such lien upon any such mare or cow the lienor shall have the right to hold the same on such mare or cow and their or its offspring for a period of six months from and after the birth of such offspring, but if such lien shall not be foreclosed within that time the same shall expire, and be of no force or effect.

Every such lienor may foreclose such lien by delivering to any sheriff or constable a true copy of such lien certified by the clerk of the county, together with an affidavit of the lienor or any agent or attorney having knowledge of the facts, stating the amount due and unpaid on such lien with direction to such officer to foreclose such lien. Thereupon such officer shall seize such mare or cow and their or its offspring and sell the same in the manner provided by law for the sale of personal property on execution, and retain the principal and interest and expenses of such seizure and sale, and the overplus, if any, pay over to the owner of such mare or cow or deposit the same for him with the county clerk and make and file due return thereof with the county clerk.

It shall be unlawful for any owner of any mare or cow or their or its offspring, or any persons having the possession of such mare or cow or their or its offspring upon which there is any lien of record in the county to sell or permanently remove the same from the county or state before said lien is paid, provided, such owner may remove the same to an adjoining county by first filing in such adjoining county a certified copy of such lien and notifying such lienor in writing of the exact location of such mare or cow and their or its offspring in such adjoining county.

Any person or persons knowingly or willfully violating any of the provisions of this act, shall be punished by a fine of not less than \$25 nor more than \$50.

NEVADA.

"Any person who shall sell any stallion within the limits of this state, intended for breeding purposes, and who shall give a false or erroneous written pedigree, shall be deemed guilty of a felony, and on conviction thereof, shall be punished by imprisonment in the state prison for a term of not less than one year nor more than five years, and such person so offending shall be liable to the person so purchasing for all damages he may sustain by reason of such false record of pedigree; provided, that the provisions of this act shall not apply to any representation concerning pedigree unless the same has been reduced to writing and signed by the party so making the same."

Sec. 1. Any stallion or jack stood for public service or offered for sale must be enrolled with the stallion registration board.

Sec. 2 and Sec. 3 provide for the formation of a stallion registration board and prescribe its duties.

Sec. 4. In order to secure the license certificate herein provided for the owner shall apply for such to the stallion registration board, after the stallion or jack has been examined for soundness. The owner of such stallion or jack shall furnish to the stallion registration board the veterinary certificate and the stud book registry certificate of pedigree of the stallion or jack and all other necessary papers relating to his breeding and ownership. Upon verification of pedigree and certificate of breeding and the stallion or jack has passed the necessary veterinary inspection, as provided for in this act, a license certificate shall be furnished. "The presence of one or more of the following-named diseases shall disqualify a stallion or jack from public service and are hereby defined as infectious, contagious, or transmissible diseases or unsoundnesses for this act: cataract, amaurosis, laryngeal hemiplegia (roaring or whistling), chorea (St. Vitus dance), crampiness, stringhalt, glanders or farcy, maladie du coit, urethral gleet, mange, ringbone, bone spavin, sidebone, and curb when accompanied by a curby hock. The stallion registration board is hereby authorized to refuse certificates of enrollment to any stallion or jack affected with any of these diseases specified and to revoke a previously issued license certificate of any stallion or jack found upon examination to be so affected."

Sec. 6. Stallions and jacks brought into the state for breeding purposes must be accompanied by a certificate

from a "recognized state or federal veterinary office" that such animal is free from any of the diseases mentioned in Sec. 4. No stallion or jack may be imported for breeding purposes unless it is "purebred" or "grade."

Sec. 7. The owner of any stallion or jack standing for public service in this state shall post and keep affixed during the entire breeding season copies of the license certificate of such stallion or jack in a conspicuous place both within and upon the outside of every stable, building or corral where the stallion or jack is used for public service at home or elsewhere.

Sec. 8. Upon each bill and poster issued by the owner of any stallion or jack enrolled under this act, or used by him or his agent, for advertising such stallion or jack, the name of the animal shall be preceded by the words "purebred," "crossbred," "grade," "non-standardbred," or "mongrel," or "scrub," in accordance with the wording of the certificate of enrollment. It shall be illegal to print upon the poster any misleading reference to the breeding of the stallion or jack, his sire or his dam, or to use any portrait in a misleading way. Each newspaper advertisement printed to advertise any stallion or jack for public service shall show the enrollment certificate number and state whether it reads "purebred," "crossbred," "grade," "non-standardbred," or "mongrel," or "scrub."

Sec. 9 gives the form of license for "purebred," "crossbred," "grade" and "scrub."

Sec. 10. The enrollment fee is \$10, with annual renewal fee of \$2. Examination must be had every four years, until ten years of age, and after the first examination the animals are exempt from further examination at ten years of age.

Sec. 11. License certificate may be transferred for fee of \$1.

Sec. 12. Violation of this act is punishable by a fine of from \$50 to \$200 or by imprisonment from 30 days to six months, or both.

Sec. 13. The funds are to be used for expenses of the board and for the furtherance of the breeding industry.

Sec. 14 provides for annual reports by the board to the governor.

Sec. 15. No part of this act shall apply to stallions turned upon the open range, and the term "standing for public service," is hereby defined as the service of a stal-

lion for a fee when said stallion is stood at one or more places for public use, where in all more than five mares are served in one season.

Sec. 16 forbids railroads to transport into the state any stallion or jack unless accompanied by certificate.

Sec. 17 provides for printing of blanks for the board.

Sec. 18. Stallions and jacks which have been in service in this state more than a year preceding the passage of this act shall not come under the provisions of this act until Jan. 1, 1914.

The lien law provides that the owner or keeper of any stallion may advertise the terms upon which he will let such stallion to service, by publication thereof in some newspaper of the county where such stallion is kept, for sixty days during the season of each year, or by printed handbills conspicuously posted during such period in four or more public places in said county, including the place where such stallion is kept; and the publication or posting, as aforesaid, of the terms of such service shall impart notice thereof to the owner of any mare served by such stallion during the season, and in all actions and controversies in respect to the foal, the owner of such mare so served shall be deemed to have accepted and assented to said terms when so advertised and published or posted as provided herein.

When the said terms of such service by any stallion, published or posted as provided in Sec. 1 of this act, shall provide that the mare and foal will be held for the money due for the service of such stallion, then in that event the owner or keeper of such stallion shall have a lien for such sum on the mare from the time of service and on the offspring of the mare served, for the period of one year after the birth of such foal, which said lien shall be preferred to any prior lien, encumbrance or mortgage whatever, and the publication or posting, as aforesaid, of the terms of such service shall be deemed notice to any third party of the existence of such lien.

Any person who shall sell, convey or dispose of any animal upon which there exists a lien, as created in Sec. 2 of this act, without the written consent of the party holding such lien, and without informing the person to whom the same is sold or conveyed that said lien exists, or who shall injure or destroy such animal, or aid or abet the same, for the purpose of defrauding the lienor, or who shall remove or conceal, or aid or abet in removing or concealing such animal, with intent to hinder, delay or

defraud such lienor, shall be deemed guilty of a misdemeanor.

NEW HAMPSHIRE.

"Every person who offers for hire the service of a stallion for breeding purposes shall make a certificate stating the name, color, age, size and pedigree (so far as known) and the name and residence of the person by whom he was bred, and shall cause the certificate to be recorded by the secretary of the board of agriculture. He shall also insert a copy of the certificate in all posters and notices advertising the stallion, and shall give a copy of it to the keeper of each mare served by the stallion for hire."

Neglect to make or record the certificate, or neglect to give a copy of it to the keeper of the mare forfeits the service fee "unless he shall show that the person had actual knowledge of it at the time of service." Making false statements in the certificate or giving a false copy of it to a mare owner makes the stallioner liable to a fine of \$100. Compliance with this statute gives the stallioner a preferred lien on the colt until it is eight months old, and a colt may be attached at any time after it is four months old.

NEW JERSEY.

Sec. 1. Anyone standing, traveling or offering for use any stallion or jack shall cause the name, description and pedigree to be enrolled by the stallion registration board and shall secure a license from said board.

Sec. 2 establishes a stallion examining registration board.

Sec. 3. "In order to secure the license certificate herein provided for, the owner of each stallion or jack shall present his candidate for an examination, together with all necessary papers relative to his breeding and ownership, at the county seat of each county, or such other place and at such time as may be fixed by said board. Three insertions in one or more newspapers in each county constitutes a legal notice to the owners of sires. It shall be the duty of this board personally to examine each stallion or jack and determine to the best of their knowledge and belief whether said stallion or jack is free from infectious, contagious or transmissible diseases or unsoundnesses, and their findings shall be final. Upon verification of pedigree and certificate of breeding (in case of purebred stallions or jacks) and provided such stallion or jack has satisfactorily passed said veterinary examination, a certificate shall be issued to the owner. The presence of any one or

more of the following named diseases shall disqualify a stallion or jack for public service, and are hereby defined as infectious, contagious or transmissible diseases or unsoundness for the purpose of this act: cataracts, amaurosis (glass eye), periodic ophthalmia (moon blindness), laryngeal hemiplegia (roaring or whistling), pulmonary emphysema (heaves or broken wind), chorea (St. Vitus dance), crampiness, shivering, stringhalt, bone spavin, ringbone, sidebone, navicular disease, bog spavin, curb with curby formation of hock, glanders, farcy, *maladie du coit*, urethral gleet, mange, melanosis, osteoporosis, canker of the foot and laminitis. The stallion examining and registration board is hereby authorized to refuse a certificate of enrollment to any stallion or jack affected with any one of the diseases specified and to revoke a previously issued license at any time if upon examination a stallion or jack is found to be so affected."

Sec. 4. The board, in case of emergency, is authorized to name a committee in each county consisting of a graduate veterinarian and a practical horseman, whose compensation shall be \$10 a day and expenses while making examinations, who shall examine the stallions or jacks in such county and issue, under oath, a certificate stating that such animals are free from disease or unsoundness as above defined. The owner may forward the same, together with all necessary papers relating to the breeding and ownership, to the board, which will issue the proper certificate.

Sec. 5. The owner of any stallion or jack used for public service in this state shall post and keep affixed, during the entire breeding season, copies of the license certificate of such stallion or jack issued under the provision of Sec. 3 in a conspicuous place, both within and upon the outside of every building or stable where said stallion or jack is used for public service, at his home or elsewhere. Such copies shall be printed in bold-faced and conspicuous type, not smaller than "long primer," and the words "purebred" or "grade" must precede the name of the stallion or jack, as the case may be.

Sec. 6 gives the form of certificates for "purebred" stallions or jacks.

Sec. 7 gives the form of certificates for "grade" stallions or jacks.

Sec. 8. Every bill, poster or advertisement issued by the owner of any stallion or jack, licensed under this act, and used for advertising such stallion or jack, shall contain a copy of his license certificate and shall not contain illus-

tration, pedigree or other matter that is untruthful or misleading.

Sec. 9 fixes the registration fee at \$5 with an annual renewal fee of \$2. Stallions shall be examined every year until ten years of age, and if ten years of age or over, after the first examination, shall be thereafter exempt.

Sec. 10. The certificate may be transferred for a fee of \$1.

Sec. 11. Violation of any one of the provisions of the act is punishable by a fine of \$50 for the first offense and of \$100 for each subsequent offense.

NEW MEXICO.

Owners of stallions, jacks, bulls, boars and rams, which are kept for the purpose of standing for profit shall have a lien upon the animal or animals bred contract by such stallion, jack, bull, boar or ram for the period of nine months from the birth of such progeny for the payment of fee or fees due for the services of such stallion, jack, bull, boar or ram, said lien to take preference over all other liens given after date of service by stallion, jack, bull, boar or ram, provided the owner of such sire shall file in the office of the county clerk of the county in which such service is had, a description of such animal or animals served and such progeny, with the approximate date of the birth of such progeny, within three months after the birth of such progeny. Said lien may be foreclosed as a chattel mortgage in this state at any time after filing such description.

It shall be unlawful for the owner of any mare, jennet, cow, sow or ewe served by any stallion, jack, bull, boar or ram as mentioned in Sec. 1 of this act to sell such animal or animals or remove same from this state before the satisfaction of the lien created in said Sec. 1 of this act, without having first obtained the written consent of the owner of said stallion, jack, bull, boar or ram, and such sale or removal shall constitute a misdemeanor and upon conviction thereof shall be punished by confinement in county jail not less than thirty days nor more than sixty days, or by fine not to exceed \$50.

The lien provided in Sec. 1 of this act shall not take preference over subsequently acquired interest by sale or mortgage, provided such interest shall have been acquired before the lien statement described shall have been recorded.

NEW YORK.

On complying with the provisions of this article, the owner of a stallion shall have a lien on each mare served, together with the foal of such mare from such service, for the amount agreed on at the time of service, or if no agreement was made, for the amount specified in the statement hereinafter required to be filed, if within fifteen months after such service he files a notice of such lien in the same manner and place as chattel mortgages are required by law to be filed. Such notice of lien shall be in writing, specifying the person against whom the claim is made, the amount of the same, and a description of the property upon which the lien is claimed, and such lien shall terminate at the end of eighteen months from the date of such filing, unless within that time an action is commenced for the enforcement thereof, as provided for the foreclosure of a lien on chattels.

A person having the custody or control of a stallion and charging a fee for his services, shall, before advertising or offering such services to the public, file with the clerk of the county in which he resides or in which such stallion is kept for service, a written statement giving the name, age, description, and pedigree, if known, and if not stating that the same is unknown, of such stallion and the terms and conditions on which he will serve. On filing such statement the county clerk shall record the name in a book provided for that purpose and issue a certificate to such person, that such statement has been filed and recorded. He shall be entitled to receive 10 cents per folio for recording such statement and for such certificate.

The person having the custody and control of such stallion, shall post a written or printed copy of such statement and certificate in a conspicuous place in each locality in which said stallion is kept for service. A person who neglects or refuses to file and post such statement as required in this article, or falsely states the pedigree of such stallion in such statement, forfeits all fees for the services of such stallion and is liable to a person deceived or defrauded thereby for the damages sustained.

NORTH CAROLINA.

The owner of a stud horse, jack or bull has a lien on the get which is in force until the service fee is paid. The colt or calf is not exempt from execution for the payment of the service fee by reason of any personal property exemptions: provided, the person claiming the lien insti-

tutes action to enforce his lien within twelve months from the birth of the get.

If any person shall, with intent to defraud or cheat, knowingly represent any animal for breeding purposes as being of greater degree of any particular strain of blood than such animal actually possesses and by such representation obtains from any other person money or other things of value he shall be guilty of a misdemeanor and upon conviction may be fined not less than \$60 nor more than \$300 or imprisoned not more than six months. Any one, who by false representation or pretense with intent to defraud or cheat, obtains a certificate of registration or a transfer of such registration is liable to a fine not exceeding \$100 or six months' imprisonment or both.

NORTH DAKOTA.

Sec. 1. Any stallion or jack used for public service must be enrolled with the stallion registration board and the license issued by the board recorded with the register of deeds in the counties in which such animals are used for public service.

Sec. 2 provides for the formation of a stallion registration board to meet at the agricultural college not more than four times each year, excepting for special meetings.

Sec. 3. (As amended in 1911.) In order to secure a license the stallion must pass a veterinary examination and be free from all infectious, contagious or transmissible disease or unsoundness, and the owner must furnish to the board the stud book registry certificate of pedigree and other necessary papers relating to his breeding and ownership. The presence of any one or more of the following diseases disqualify a stallion from public service and are defined as infectious, contagious or transmissible diseases or unsoundnesses for the purpose of this act: cataract, amaurosis, laryngeal hemiplegia (roaring or whistling), glanders, chorea (St. Vitus dance), crampiness, stringhalt, farcy, maladie du coit, urethral gleet, mange, bone spavin, ringbone, sidebone and curb when accompanied by curby hock. A previously issued license may be revoked if the stallion is found upon examination to be affected with any one of the above named diseases, but if the owner can prove to the satisfaction of the inspector that the blemish or unsoundness was caused by an accident and not by transmissible disease, then it shall not be considered disqualified. This section also names the stud books and the officers of the foreign and domestic horse pedigree associations to be used by the board.

Sec. 4 provides for the examination of stallions by graduate veterinarians in the employ of the stallion registration board.

Sec. 5. (As amended in 1911.) An owner may file with the board a protest, accompanied by a draft of \$25 or money of the same amount, against the decision of the official inspector and said protest shall state that to the best knowledge and belief of the person making the protest the stallion in question is eligible to be granted a license; whereupon an examination of the stallion shall be made by three experts, one appointed by the stallion registration board, one by the owner of the stallion and the third by these two, but all must be graduates of a recognized veterinary college. The decision of any two is final, and, if in favor of the owner, the board must pay the cost of the consultation, and if it is against the owner, the cost must be paid out of the \$25 deposited, and the balance, if any, returned to him.

Sec. 6 provides for a temporary license certificate upon the affidavit of the owner that, to the best of his knowledge and belief, the said horse is free from infectious, contagious or transmissible disease or unsoundness. This is good only until veterinary examination can reasonably be made.

Sec. 7 directs the posting of copies of the license certificates in a conspicuous place upon the main door leading to every stable where the said stallion stands for public service. They must be printed in bold faced conspicuous type, not smaller than pica, especially the words "purebred," "grade," etc.

Sec. 8 gives the form for certificates for "purebred," "grade," "crossbred" and "scrub" animals.

Sec. 9. Every advertisement issued by the owner of the stallion licensed shall contain a copy of his license certificate and shall not contain illustrations, pedigrees or other matter that is untruthful or misleading.

Sec. 10 provides an examination and enrollment fee of \$2 for each pedigree, which includes the issuance of a license certificate. The renewal of such license certificate requires an annual fee of \$1. The veterinary examination fee is fixed at \$5 to be paid to the inspector at the time inspection is made. Stallions must be examined every three years until ten years of age, and after the first examination they shall be exempt from re-examination if they are ten years of age or over.

Sec. 11 allows the transfer of certificates upon payment of 50 cents.

Sec. 12 directs how the funds arising from these fines shall be used by the registration board and requires the board to make an annual report to the governor of the state.

Sec. 13. Upon complying with this law the stallioner has a lien by filing within eighteen months from the time of service in the office of the register of deeds of the county in which the female is kept at the time of service, a statement of the account and description of the female served. Such lien is good for three years from the date of the filing of the statement and has a priority over all other liens and incumbrances upon the offspring. The lien may be foreclosed as mortgages upon personal property are foreclosed.

Sec. 14 provides a penalty of not less than \$25 nor more than \$100 for each violation of any of the provisions of this act.

Sec. 15 gives the registration board the power to call upon any sheriff, deputy or constable to execute its orders, and gives its officers the power to arrest or take before any justice of the peace of the county any person found violating any of the provisions of this act and directs that such violator shall be prosecuted by the state's attorney.

Any person who shall fraudulently represent any animal to be "purebred," or any person who shall post or publish, or cause to be posted or published, any false pedigree or certificate, or shall use any stallion for public service, or sell, exchange or transfer any stallion, representing such animal to be "purebred," without first having such animal registered in some association recognized by the North Dakota Live Stock Association, and obtaining a certificate therefor, and any person who shall, by any fraud, false pretense or misrepresentation, procure the registration of any animal which is to be used for service, sale or exchange in this state, for the purpose of deception as to the pedigree thereof, and any person who shall sell or otherwise dispose of any animal as a "purebred" when he knows or has reasons to believe that the same is not the offspring of a regularly registered "purebred" sire and dam, or who shall sell or otherwise dispose of any animal as a registered "purebred" by the use of a false pedigree or certificate of registration, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$25 nor more than \$1,000, or by imprisonment in the county jail for not less than thirty days nor more than six months, or both such fine and imprisonment, in the discretion of the court.

OHIO.

"That the keeper of any stallion or jack shall have a lien upon the get of the same for the period of twelve months after birth of the same, for the payment of the service of any such stallion or jack. Such keeper or owner may enforce such lien by replevin of the property before any justice of the peace of the township where the property is found, and after gaining possession of the same, he may, after giving ten days' notice to the reputed owner thereof of his intention to do so, sell the same at public sale after two weeks' notice of the time and place of sale by notices posted up in five conspicuous and public places in the township where proceedings in replevin are had, and out of the proceeds of sale, retain the amount due him for said service, with the costs by him incurred in said replevin suit, and accounting to the owner for the surplus realized by said sale. And the owner of any such stallion or jack when payment is made to him or his agent, for any such get, shall deliver to the payee a receipt in full for the amount so paid, and stating for what paid. And any such keeper or owner of any stallion or jack, who misrepresents the pedigree, or fails to publish a correct pedigree of his stallion or jack, when excellency of good qualities are claimed on account thereof, shall, upon proof of such misrepresentation, forfeit the services in any case when legally contested and proven, and shall be otherwise punished as provided by law against the use of false pedigrees."

Sec. 1 provides for the examination of every stallion or jack used as a public breeding sire.

Sec. 2. Upon request of state board of live stock commissioners the owner must present, at any point within ten miles, the stallion or jack for examination.

Sec. 3. Upon the examination of such stallions or jacks, the state board of live stock commissioners shall grant to the owners or keepers thereof a certificate of inspection setting forth the transmissible defects, description, age, breeding—whether "purebred" or "grade," stallion or jack. A fac-simile of such certificate shall be posted in full view at all places of service of such stallion or jack, and shall be included in all advertisements pertaining to such service, which advertisement shall also contain a true statement by the owner or keeper of such animal as to the breeding thereof, whether "purebred" or "grade."

Sec. 4. The license fee is \$2 and the license expires Dec. 31 of each year. The renewal fee is 50 cents. The application for renewal must bear the sworn statement

of any legally deputed licensed veterinarian, setting forth any and all changes of transmissible defects.

Sec. 5. Violation of any of the provisions of the act is punishable by fine of \$10 to \$100 and forfeiture of the right to collect fees.

Sec. 6. The privileges of inspection and granting of certificates may be granted to any domestic animal used as a public breeding sire, upon request of the owner.

OKLAHOMA.

"The owner or keeper of any stallion, jack or bull may advertise the terms upon which he will let such animal to service by publication thereof in some newspaper in the county where such animal is kept for a period of sixty days during the season of each year, or by printed handbills conspicuously posted during such period in four or more public places in said county, including the place where such animal is kept; and the publication or posting as aforesaid of the terms of such service shall impart notice thereof to the owner of any female served by such stallion, jack or bull during such season; and in all actions and controversies in respect to the foal or other product of such service the owner of such female animal so served shall be deemed to have accepted and assented to said terms, when so advertised or posted as provided herein.

"When the said terms of such service by any such animal, published or posted as provided in the above section, shall provide that the foal or other product of such service will be held for the money due for the services of such stallion, jack or bull, then and in that event the owner or keeper of any such animal may file with the recorder of deeds of the county in which such animal is kept for service, a certificate signed by the owner of the female bred, or his representative, also the owner or keeper of the male animal rendering the service, stating the terms of such service, a description of the female served, also a description of the male rendering the service, the date of service and acceptance of terms by owner of female, and such certificate, if filed within three months after the rendering of such service, shall become and continue a lien on the offspring for the period of six months after the birth thereof, and the filing of such certificate shall be constructive notice to any third party of the existence of the lien; provided, that as between the owner of any stallion, jack or bull, as provided in the preceding section, and the owner of any female served, a lien shall exist not-

withstanding no certificate as herein provided shall be filed or notice given as in this article provided."

The recorders of the several counties are required to keep a book especially for the recording of these certificates.

If the sire owner advertises a false pedigree, or falsely represents his animal to be eligible to be recorded, he loses all claim for the services of that animal and all benefit of the stallion law.

The lien is enforced by replevin of the animal on which it is claimed, and the replevin suit will take the course and be decided as are other replevin suits.

OREGON..

Sec. 1. No stallion or jack may be used for public service until the name, description and pedigree are enrolled by the stallion registration board and the certificate of enrollment recorded in the office of the recorder of the county in which such animal is to be used for public service.

Sec. 2 establishes a stallion registration board.

Sec. 3 defines the duties of such board.

Sec. 4 requires each stallion or jack used for public service to be enrolled by the stallion registration board and to have a license from such board.

Sec. 5. In order to secure the license certificate the owner shall make application to the secretary of the board and shall furnish the certificate of registration if possible and all other papers relating to the breeding and ownership. The owner will then be notified when and where the stallion or jack may be examined for soundness and upon receipt of the veterinarian's certificate and upon verification of the pedigree the animal will be recorded on the books of the board and a license furnished the owner.

Sec. 6. Duplicates of certificates which have been lost or mutilated shall be furnished upon return of the old certificate to the board or upon proper showing by affidavit that the original was lost or destroyed. The fee for the duplicate is \$1.

Sec. 7. "The stallion registration board is hereby authorized and instructed to refuse license certificates to any stallion or jack affected with any of the diseases or unsoundnesses herein specified, providing the said stallion or jack has not been used for public service within the state previous to Feb. 23, 1911, to-wit: cataract, amaurosis, periodic ophthalmia (moon blindness), laryngeal hemiplegia (roaring or whistling), chorea (stringhalt, St. Vitus

dance), bone spavin, bog spavin, ringbone, sidebone, and curb when accompanied by curby formation of hock."

Sec. 8. No stallion or jack shall stand for public service in the state of Oregon which is diseased or so badly deformed that, in the opinion of the board, it is wholly unfit for breeding purposes, and registration of such will be refused.

Sec. 9 provides the standard to be used by the board in passing upon the pedigree, giving the names of the stud books by which the board shall be guided.

Sec. 10. Temporary certificates without veterinary examination may be granted upon affidavit of the owner to the effect that, to the best of his knowledge and belief, his animal is free from infectious, contagious or transmissible disease or unsoundness. Such certificates shall be good only until such time as it is possible for a regular veterinary examination to be held.

Sec. 11. Stallions or jacks used for public service previous to Feb. 23, 1911, shall have named in their certificates any hereditary disease or unsoundness referred to in Sec. 7.

Sec. 12. "The owner of any stallion or jack standing for public service in this state shall post and keep affixed during the entire breeding season copies of the license certificate of such stallion or jack issued under provisions of this act in a conspicuous place upon the main door leading to every stable or building where said stallion or jack stands for public service (breeding purposes). Said copies shall have the words 'purebred,' 'crossbred,' 'grade' or 'mongrel' printed in bold-faced type not less than 1 inch in height. Every bill or poster used in advertising the stallion or jack shall have therein a copy of the license certificate with the words 'purebred,' 'crossbred,' 'grade' or 'mongrel' printed in conspicuous bold-faced type not less than 1 inch in height. Every newspaper advertisement of said stallion or jack shall have therein a copy of the license certificate with the words 'purebred,' 'crossbred,' 'grade' or 'mongrel' printed in conspicuous bold-faced type. No bill, poster or other advertisement of such stallion or jack shall contain illustration, pedigrees or other matter that is in any way untruthful or misleading."

Sec. 13 gives the form for the "purebred" certificates. Sec. 14 gives the form for the "grade" certificates. Sec. 15 gives the form for the "non-standardbred" certificates. Sec. 16 gives the form where the sire and dam are "pure-

bred" but not of the same breed, and Sec. 17, where neither sire nor dam is of pure breeding.

Sec. 18 fixes the registration fee at \$10, including the veterinary examination. If license is not granted, \$3 is returned to the owner. The certificate is good for three years except when the animal is more than ten years of age at the issuance of the license, in which case the license is good for the life of the animal.

Sec. 19. Upon transfer of ownership the certificate may be transferred for a fee of \$1.

Sec. 20 provides that the funds accruing from the fees shall be used by the board to defray the expenses of veterinary examinations, etc.

Sec. 21 provides for an annual report to the governor.

Sec. 22. "Whenever a stallion has been rejected by the registration board, and the owner is not satisfied by the official decision of the board, the owner may file a protest against the decision of the official inspector and such protest shall state that to the best of the knowledge and belief of the person making the protest the stallion or jack in question is eligible to be granted a license; whereupon an examination of the stallion or jack in question shall be made by three experts, one appointed by the stallion registration board, one by the owner of said stallion or jack, and the third by the two experts already provided for, but all experts shall be graduates from recognized veterinary colleges. In case all three or any two of the experts declare that the stallion or jack is eligible to receive a license, the license shall be granted according to their instruction, and the expense of the consultation shall be paid by the stallion registration board, out of such funds as are herein provided for, or if three or any two of the experts declare such stallion or jack is not eligible within the provisions of this act, the expense incurred shall be paid by the person making the protest, and it may be collected in the same manner as any appeal in civil action."

Sec. 23 amends the lien law so that it is in substance as follows: The lien may be perfected at any time after breeding by filing with the county clerk of the county a verified notice of the lien, describing the mare with reasonable certainty, giving the name of the owner and his place of residence, if known, the name and residence of the person having possession of the mare, the location of the mare, terms and amount of the fee, date of service and the time or event when the same shall become due and payable. Thereafter such lienor shall have first lien upon

such mare or mares described therein and their colts as soon as the same may be foaled, over any other lien or claim subsequent to the date of filing of such lien.

Sec. 24. Sec. 5717. From the time of filing of such lien upon any such mare or mares the lienor shall have the right to hold the same on such mare or colts for a period of one year from and after the foaling of such colt, but if such lien shall not be foreclosed within that time the same shall expire, and be of no force or effect. The lien may be foreclosed by delivering to the sheriff or constable a true copy certified by the county clerk with the affidavit of the lienor or any agent having knowledge of the facts, stating the amount due and unpaid.

Sec. 25. Sec. 5718. "It shall be unlawful for any owner of any mare or mares or their colts or any person having the possession of such mare or mares or their colts upon which there is any lien of record in the county to sell or remove the same from the county or the state; provided, such owner may remove the same to an adjoining county by first filing in said adjoining county a certified copy of such lien and notifying such lienor in writing of the exact location of such mare or mares and their colts in such adjoining county."

Sec. 26 gives the board the right to make examination without cost to the owner of the animal at any time it is deemed necessary.

Sec. 27. Violation of the provisions of the act is punishable by a fine of \$50 to \$100 or by imprisonment from thirty days to six months, or by both fine and imprisonment.

Sec. 28. Any veterinarian guilty of unprofessional conduct in making examinations shall be disqualified by the board from making further examinations and may be fined from \$50 to \$500 or imprisoned from thirty days to six months, or may be both fined and imprisoned.

PENNSYLVANIA.

Sec. 1. Anyone standing or traveling a stallion for breeding purposes must have the same enrolled by the state live stock sanitary board and procure a certificate.

Sec. 2. To obtain a license certificate the owner should file a certificate of soundness, signed by a duly qualified veterinarian, or he may make oath before a notary public that, after diligent inquiry, such stallion is to the best of his knowledge free from hereditary, contagious or transmissible unsoundness or disease, and shall forward this veterinarian's certificate or his affidavit together with the

stud book certificate of registry of the pedigree and any other documents that may be necessary to define and describe his breeding and ownership, to the live stock sanitary board.

Sec. 4. Stallions afflicted with hereditary, contagious or transmissible unsoundness or disease may be refused license by the state live stock sanitary board, and when license is so refused, the stallion shall not be used for public service for profit or gain; provided, however, that a license may be refused only when it is certified to the board by the state veterinarian that the stallion is afflicted with an hereditary, contagious or transmissible unsoundness or disease of such a nature, or that the abnormal condition is accompanied by such a defect of conformation as to render it probable that the progeny of the said stallion will be especially liable to said unsoundness or disease. Blemishes and deformities due to accidents shall not be regarded as unsoundness within the meaning of this act.

Sec. 5. The owner shall post and keep affixed during the entire breeding season copies of the license certificate of such stallion, in a conspicuous place both within and without the main door leading into any stable or building where the stallion stands for public service.

Sec. 6 gives the form for certificate for each class.

Sec. 7. Every bill, poster or advertisement issued by the owner of a stallion enrolled under this act, or used by him for advertising such stallion, shall contain a copy of its certificate of enrollment.

Sec. 8. The fees are \$1 for examination and enrollment and \$1 for the issuance of license certificate, which license must be renewed annually.

Sec. 9 gives the board power to establish needful regulations, to provide for official examination upon voluntary request from owners of stallions and to issue certificates.

Sec. 10. The certificates may be transferred for a fee of 50 cents.

Sec. 12 fixes a fine of not exceeding \$50 for each violation of the act.

NOTE.—The old law of 1903 giving a lien is reprinted in the statutes with the notation that it seems to be repealed by the above law of 1907.

RHODE ISLAND.

Every person who by any false pretense shall obtain from any club, association, society or company for improving the breed of cattle, horses, sheep, swine or other domestic animals, the registration of any animal in the

herd register or other register of such club, or who knowingly shall obtain a transfer of any such registration and every person who shall knowingly give a false pedigree of any animal may be imprisoned not to exceed one year or fined not to exceed \$500 or both.

SOUTH CAROLINA.

"The owner of any stock horse, jack, bull, boar or ram, kept by him for the purpose of raising from, having a claim by contract against the owner of any mare or cow, or other stock, for service, shall have a prior lien on the issue of such mare, cow or other stock for the amount of such claim: provided, an action shall be instituted to enforce such claim, by suit, before a magistrate or other officer having jurisdiction, within twelve months from the time such shall have accrued."

SOUTH DAKOTA.

Sec. 1. All stallions or jacks standing for public service must be enrolled with the stallion registration board and the certificates thereof recorded with the county auditor of the counties in which such animal is used for public service.

Sec. 2 prescribes the duties of the stallion registration board.

Sec. 3. To secure the license certificate the owner must present a certificate and affidavit from a qualified veterinarian to the effect that he has personally examined such stallion or jack and, to the best of his knowledge and belief, said stallion or jack is free from contagious, infectious or transmissible disease. He must also furnish the stud book registry certificate and all other necessary papers relating to his breeding and ownership. The presence of any one or more of the following named diseases disqualify a stallion or jack from public service and are defined as infectious, contagious or transmissible diseases: specific ophthalmia (including moon blindness, etc.), laryngeal hemiplegia (roaring or whistling), bone spavin, ringbone, glanders-farcy, maladie du coit, urethral gleet, mange, hog spavin, and curb when accompanied by faulty conformation. A previously issued license may be revoked upon discovery of any one of these diseases.

Sec. 4. Eliminated.

Sec. 5. "The owner of any stallion or jack standing for public service in this state shall post and keep affixed during the entire breeding season copies of the license

certificate of such stallion or jack, issued under the provisions of this act, in a conspicuous place upon the main door leading to every building or stable where such stallion or jack stands for public service. Said copies shall be printed in bold-faced and conspicuous type, not smaller than small pica, especially the words 'purebred,' 'grade,' etc. For the purposes of this act a 'grade' shall be defined as a horse that has a 'purebred' sire or dam, and a 'no-grade' as a horse that has neither a 'purebred' sire or dam."

Sec. 6 gives the form for certificates.

Sec. 7. Every bill, poster or advertisement shall contain a copy of the certificate.

Sec. 8 fixes the fee for registration and examination of the pedigree and issuance of license at \$2, renewal \$1. Veterinary examination shall be made every two years after license is issued, examination to take place before April 1, "provided, however, that after a stallion or jack is seven years of age, and has been previously examined in the state by a licensed veterinarian and has received a license certificate, he need not be further examined to comply with the requirements of this act unless such an examination should be deemed necessary for the best interests of the public and demanded by three or more persons, patrons of such stallion or jack."

Sec. 9. The license certificate may be transferred for a fee of 50 cents.

Sec. 10. Violation of the provisions of the act is punishable by a fine of not less than \$25 nor more than \$100 for every offense and permit of veterinarian to examine may be revoked after a second offense.

The lien law provides that all owners, or any person having in charge a stallion or jack, shall have a lien for the services of such stallion or jack upon the mare or jennet served by said stallion or jack and upon the offspring of the mare or jennet served by the aforesaid stallion or jack. In case the owner or any person having in charge such stallion or jack desires to retain a lien upon the mare or jennet served in the manner above mentioned, the owner or any person having in charge such stallion or jack shall within five months after such service file with the register of deeds of the county where such mare or jennet is situated a duplicate of his service record book properly indexed and containing a description of said mare or jennet, by recording therein the name, age, color,

date of such service and the amount of service fee. The same shall constitute a lien on such mare or jennet when a duplicate of such service record book is filed as provided in this act. The filing of such service record book as provided shall operate as a notice to the subsequent purchasers and incumbrancers in good faith during the life of such lien.

The owner or helper must file with the service record an affidavit that it is a true copy. The lien is cancelled by filing a duplicate receipt for the service fee. The fee becomes due and payable at once if the mare is sold or removed from the county.

The owner or owners of any sire receiving such certificate by complying with the above section of this code shall obtain and have a lien upon the get of any such sire for a period of eighteen months from date of birth of get, and any such lien shall have priority over all other liens and incumbrances upon the get of any such sire.

TENNESSEE.

Any person keeping a stallion, jack, bull or boar for public use has a lien on the offspring of the same for the season to be paid.

This lien continues for ten months from the birth of offspring and is enforced as landlords' liens are enforced. The pedigree under oath of any stallion, jack or bull, claimed to be pedigreed live stock, and used for public breeding, must be filed and recorded with the clerk of the county court, presumably in the county where the animal is kept or stood for service. During the breeding season a certified copy of the pedigree as recorded must be posted conspicuously in three different places in the county where the owner lives or the animal is stood for service. Anyone who knowingly posts or records a false pedigree is liable to a fine of from \$25 to \$100.

TEXAS.

"The owner or keeper of any stallion, jack, bull or boar, who keeps the same confined for the purpose of standing him for profit, shall have a preference lien upon the progeny of such stallion, jack, bull or boar, to secure the payment of the amount due such owner or keeper for the services of such stallion, jack, bull or boar, and such lien shall exist by reason of the force and effect of the provisions hereof, and it shall never be necessary in order to

secure and fix said lien to secure, file or register any contract or statement thereof with any officer, nor shall it be necessary that the owner of such progeny execute any contract whatever, but that such preference lien may be foreclosed in the same manner as the statutory landlord's lien is by law enforced: provided, that where parties misrepresent their stock by false pedigree, no lien shall obtain.

"The lien herein provided shall remain in force for a period of ten months from the birth of said progeny, but shall not be enforced until five months shall have elapsed after such birth."

UTAH.

Sec. 1 creates the state board of horse commissioners.

Sec. 2. Anyone standing, traveling or offering for sale for breeding purposes any stallion or jack shall cause the name, description and pedigree of such animal to be enrolled with the state board and procure a license certificate.

Sec. 3 provides for the issuance of a certificate upon examination by a duly qualified veterinarian named by the board, or by some other inspector which shall be appointed by the board. The certificate of examination, and in case of purebreds the certificate of registry and other necessary papers relating to the breeding and ownership of said animal must be forwarded to the board.

Sec. 4. No certificate shall be issued for any animal that has any of the following diseases or unsoundnesses: cataract, amaurosis, periodic ophthalmia (moon blindness), laryngeal hemiplegia (roaring or whistling), pulmonary emphysema, chorea (St. Vitus' dance), crampiness, shivering, stringhalt, bone spavin, ringbone, enlarged sidebone, navicular disease, bog spavin, curby formation of hock, glanders, farcy, maladie du coit, urethral gleet, mange, melanosis, or any marked faulty or weak conformation which is likely to be transmitted.

Sec. 5. Certificates of enrollment may be withheld for investigation of pedigrees.

Sec. 6 fixes the standard to be used by the board.

Sec. 7. "The owner of any stallion or jack standing for public service shall cause the certificate of enrollment to be recorded with the recorder of deeds in the county in which said stallion or jack is used for public service in this state, and shall post and keep affixed, during the entire breeding season, copies of the license certificate of such stallion or jack issued under the provisions of the

next preceding section, in a conspicuous place where said stallion or jack stands for public service."

Sec. 8 gives a form of license certificates for "purebred" animals; Sec. 9, for "non-standardbred" animals, and Sec. 10, for "mongrel" or "grade" animals.

Sec. 11. Every bill, poster or advertisement must contain a copy of the certificate of enrollment. The fee for examination is \$10, with renewal of \$2 per year. The death of any registered stallion or jack must be reported to the secretary of the board and the license certificate sent to him.

Sec. 13. The certificate may be transferred for a fee of \$2 or a duplicate issued for one lost or destroyed for a fee of \$1.

Sec. 14 directs the use of the funds accruing from the fees.

Sec. 15. "Every person in the state of Utah complying with the provisions of this act, and having obtained the license certificate for a 'purebred' stallion or jack, registered in a Government approved stud book, shall have a lien upon the mare and a first lien upon the offspring of such service, to the amount of the agreed service for a period of eighteen months after service, and it shall not be necessary in order to fix and secure said lien to secure, file or register any contract or statement thereof with any officer; nor shall it be necessary that the owner of such mare or foal to execute any contract whatever; the said lien may be foreclosed in the same manner that a mortgage upon personal property is foreclosed."

Sec. 16. The violation of any of the provisions of this act is made a misdemeanor.

Sec. 17. Owners of certificates issued under the laws of 1907 may secure one under this act by paying the annual renewal fee of \$2 and by turning in the old license certificate.

VERMONT.

"Colts foaled in this state shall be subject to a lien to secure the payment of the service fee, which shall continue in force until the colt is eight months old, and may be enforced by attachment of such colt after it is four months old; said lien shall take priority of any other claim subject to the following conditions:

"The owner or manager of the stallion shall, annually, file in the office of the clerk of the town where such stallion is kept, on or before the first day of April, or within

thirty days after such stallion is brought into such town, a declaration of an intention to claim such lien and a statement containing the name and age of such stallion and his pedigree for two generations, if known, and the terms of service; a copy of which statement shall be furnished the owner of each mare served, and all bills or posters advertising such stallion shall contain a copy of such statement; and when the owner or manager of a stallion has complied with all the requirements of this section, if the owner or person in whose name a mare has been mated with such stallion for breeding purpose disposes of such mare by sale or otherwise before foaling time without first settling with the owner or keeper for the service of the stallion or within ten days after the disposal of the mare, he shall be subject to all and the same penalties that he would for disposing of a colt encumbered by a lien; provided that if such mare is returned for trial to the stallion after three weeks from the date of the last service and found not to have become pregnant and is not again served during that breeding season, the provisions of this section shall not apply to the disposal of such mare.

"If the owner or manager shall, in such statement make a false representation regarding the pedigree of such horse, the lien for such service shall be discharged and the service fee thereby secured shall be forfeited.

"A person who owns, keeps or uses a stallion of two years of age or over for breeding purposes in this state, except for his own mares, shall cause such stallion to be registered in the office of the town clerk of the town in which he is kept or used. The owner or keeper of such stallion shall furnish to the town clerk in the town where such registration is made, a certificate of the name, age, color, size, name of breeder and pedigree in full of such stallion to the third ancestor on the side of both sire and dam, if known, and as much of such information as is not given shall be acknowledged as not known and so stated, and pedigrees given in advertising such stallions shall be as recorded in the town clerk's office. The town clerk shall record such statement in a book kept for that purpose and shall receive from the applicant the sum of fifty cents for each stallion so registered and shall furnish the owner or keeper procuring such registration a certified copy of the same. The owner or keeper of a stallion who fails to comply with the provisions of this act shall be fined not more than fifty dollars nor less than ten dollars and shall receive no compensation for breeding services of such stallion. A person who makes a false certificate under the provisions

of this section shall be fined one hundred dollars to the use of the town where such stallion is registered."

VIRGINIA.

The owners of licensed stallions or jacks have a lien on the colt for twelve months after foaling. The lien is operative from the recordation thereof. If a chattel mortgage it shall be recorded as other mortgages, and if not reduced to writing, shall, upon application of the owner of the stallion or jack, be recorded by the clerk of the circuit court of the county in which the foal is foaled.

A license fee of \$10 is required for stallions or jacks. The license is good for one year and authorizes the stallion or jack to stand in any county or city without additional license. Anyone standing a stallion or jack without a license is liable to a fine of from \$30 to \$50.

For letting bulls to cows other than his own, the owner must take out a license costing \$2.50 for each bull licensed. Anyone taking out such license has a lien on the get for six months from the date of birth. The lien is not good against innocent purchasers unless it is recorded with the clerk of the county in which the calf is calved.

WASHINGTON.

Sec. 1. Anyone owning any draft stallion or jack for sale, exchange, or for public service, shall cause the name, description and pedigree to be enrolled by the department of animal husbandry of the State College of Washington, and the certificate thereof shall be recorded by the auditor of the county in which such animal is used for public service.

A certificate of soundness signed by a registered veterinarian, the stud book certificate, and other necessary papers relating to his breeding must be sent to the department. The presence of any one of the following named diseases shall disqualify a stallion or jack for public service: bone spavin, ringbone, sidebone, navicular disease, bog spavin, curb, with curby formation of hock, glanders, farcy, maladie du coit, urethral gleet, mange, melanosis, and a previously issued certificate of any stallion or jack found on investigation to be so infected may be revoked.

Sec. 2 fixes the standard to be used in passing on the pedigree.

Sec. 3. "The owner of any stallion or jack used for public service in this state shall post and keep affixed during the entire breeding season, copies of the license certificate of such stallion or jack, issued under the provisions of the next succeeding section, in a conspicuous

place both within and upon the outside of every stable or building where the said stallion or jack is used for public service at his home or elsewhere."

Sec. 4 provides a form of certificate for "purebred," "grade," "crossbred," and "non-standardbred" stallions or jacks.

Sec. 5. "Every bill and poster issued by the owner of any stallion or jack enrolled under this act, or used by him or his agent for advertising (shall contain) such stallion's or jack's certificate of enrollment printed in bold-faced type, not smaller than long primer, on said bill or poster, and the first mention thereon of the name of the said stallion or jack shall be preceded by the words: 'purebred,' 'grade,' 'crossbred,' or 'non-standardbred,' in accordance with the wording of the certificate of enrollment; and it shall be illegal to print upon the poster any misleading reference to the breeding of the stallion or jack, his sire or his dam, or to be used upon such bill or poster the portrait of such stallion or jack in a misleading way; and each newspaper advertisement printed to advertise any stallion or jack for public service shall show the enrollment certificate number and state whether it reads 'purebred,' 'grade,' 'crossbred' or 'non-standardbred.'

The fee for examination and enrollment of pedigree and issuance of certificate is \$2, with a renewal fee every two years of \$1. Transfer certificates will be issued upon satisfactory proof of such transfer and payment of a fee of 50 cents, which is also the fee for a duplicate certificate.

Sec. 5¹/₂. Any person, firm or corporation bringing any stallion or jack into the state shall within sixty days thereafter procure the license certificate provided for in section one.

Sec. 6 makes violation of any of the provisions of the act a misdemeanor, punishable by a fine of not more than \$50 for the first offense and not less than \$50 for any subsequent offense.

Sec. 7. Upon complaint the department may investigate the soundness of the stallion or jack, but the owner of the stallion or jack shall have the right to select some registered veterinarian to act with the state veterinarian, and if they fail to agree, they shall appoint a third registered veterinarian to act as referee and his decision shall be final.

Sec. 8 directs the disposition of the money collected under this act.

The old law is still in force, which states:

"Every owner of a sire having a service fee, in order to

have a lien on the female served, and upon the get of any such sire, under the provisions of this act for such service, shall file for record with the county auditor of the county where the said sire is kept for service, a statement verified by oath or affirmation to the best of his knowledge and belief, giving the name, age, description and pedigree, as well as the terms and conditions upon which such sire is advertised for service; provided, that owners of sires who are not in possession of pedigrees for such sires shall not be debarred from the benefits of this act."

Upon filing such statement the owner will get a certificate which must be posted by him in a conspicuous place where the sire is stationed for service.

The owner or owners of any such sire receiving such certificate, by complying with the last two sections of this chapter, shall obtain and have a lien upon the female served for a period of one year from the date of service, or upon the get of any such sire for the period of one year from the date of birth of such get, provided, such owner or owners shall file for record a statement of account, verified by affidavit, with the county auditor of the county wherein the service has been rendered of the amount due for the service, with a description of the female served, within ten months from the date of service or date of birth, as the case may be. This lien is a preferred lien and no transfer of the female will defeat the right of the lien holder.

WEST VIRGINIA.

The owner of a stallion, jack or bull has a lien on the offspring of his animal if the service was by contract with the owner of the female or his agent, at the time of service. To perfect or enforce his lien the stallioner must within six months from the birth of get file before some justice of the county where the get may be, the affidavit of himself or of "some credible person," stating the amount of the lien that is due by contract and giving a description of the foal or calf on which the lien is claimed. "Upon the filing of such affidavit, the justice shall issue a warrant to the sheriff or to a constable of the county who shall distrain the colt or calf for the amount claimed and the same shall be disposed of as it taken for distress for rent."

WISCONSIN.

Sec. 1494-31. No person, firm or company shall use or offer for use for public service in this state any stallion

unless and until he shall have caused the name, description and pedigree of such stallion to be enrolled by the department of horse breeding of the College of Agriculture of the University of Wisconsin, and shall have procured a certificate of such enrollment from said department. The word "stallion" wherever used in this act shall be construed to include the word "jack."

Sec. 1494-32. In order to obtain the enrollment certificate provided for in sections 1494-31 to 1494-39, inclusive, the owner of each stallion shall have the said stallion examined in a careful and thorough manner by a legally qualified veterinarian who shall charge for this service a just and reasonable fee not in excess of \$5 for each stallion examined, and shall forward to the department of horse breeding \$2 and an affidavit of soundness signed by the said legally qualified veterinarian on a blank form furnished by said department, together with the original stud book certificate of registry of the pedigree of the said stallion, and any other necessary papers required to prove his breeding, identity and ownership. It is further provided that in cases of emergency the department of horse breeding is authorized to grant temporary certificates of enrollment without a veterinarian's affidavit upon receipt of the owner's affidavit of soundness on a blank form furnished by said department. Temporary enrollment certificates shall be valid only until a veterinary examination can reasonably be made.

The presence of any one of the following named diseases shall disqualify a stallion or jack for public service: cataract; amaurosis (glass eye); periodic ophthalmia (moon blindness); laryngeal hemiplegia (roaring or whistling); pulmonary emphysema (heaves, broken wind); chorea (St. Vitus dance), crampiness, shivering, stringhalt; bone spavin; ringbone; sidebone; navicular disease; bog spavin; curb, with curby formation of hock; glanders, farcy; maladie du coit; urethral gleet; mange; melanosis. The department of horse breeding is hereby authorized to refuse its certificate of enrollment to any stallion or jack affected with any one of the diseases hereby specified and to revoke the previously issued enrollment certificate of any stallion or jack found on investigation by the department to be so affected.

Sec. 1494-32m. When a specific complaint signed by three responsible parties is made to the department of horse breeding that a stallion is unsound and, on investi-

sary, such examination shall be made by a legally qualified graduate veterinarian deputed by the department, but the owner of the stallion shall have the right to employ a legally qualified and reputable graduate veterinarian to act with the veterinarian representing the department, and in case these two shall fail to agree they shall appoint a third graduate veterinarian to act as referee, and his decision shall be final.

Sec. 1494-33. Names thirty books of record that shall be accepted by the department of horse breeding.

Sec. 1494-34. The owner of any stallion used for public service in this state, shall post and keep affixed during the entire breeding season, a correct printed copy of the enrollment certificate of such stallion, issued under the provisions of the next succeeding section, in a conspicuous place both within and upon the outside of his home stable and the horse stable or building of every other form or place where the said stallion is used for public service.

Sec. 1494-35 gives the forms of certificate of "purebred," "grade," "crossbred," "non-standardbred," and "mongrel" or "scrub" stallions.

Sec. 1494-36. Each bill and poster issued by the owner of any stallion enrolled under sections 1494-31 to 1494-39, inclusive, or used by him or his agent for advertising such stallion shall contain a correct copy of the stallion's certificate of enrollment printed in bold-face Roman type not smaller than long primer (10-point) on said bill or poster and the first mention thereon of the name of the stallion shall be preceded by the words "purebred," "grade," "crossbred," "non-standardbred," or "mongrel or scrub" in accordance with the wording of the certificate of enrollment, and printed in type not smaller than the largest type in which the name of the said stallion shall be printed on said bill or poster in any place whatsoever. It shall be illegal to print upon the said bill or poster any misleading reference to the breeding of the stallion, his sire or his dam, or to use upon such bill or poster or in any other advertising matter the portrait of a stallion in a misleading way, and each newspaper advertisement, postcard, circular letter, or other form of advertising of a stallion for public service shall show the enrollment certificate number and state whether the stallion is "purebred," "grade," "crossbred," "non-standardbred," or "mongrel or scrub."

Sec. 1494-37. The fee for examination and enrollment is \$2. All certificates expire on Jan. 1 of each year and must

be renewed before April 1, following. The renewal fee is 50 cents.

Sec. 1494-38. Upon a transfer of the ownership of any stallion or jack enrolled under the provision of sections 1494-31 to 1494-39, inclusive, the certificate of enrollment may be transferred to the transferee by the department of horse breeding upon submittal of satisfactory proof of such transfer and upon payment of the fee of 50 cents, and a fee of 50 cents shall be paid for a duplicate license certificate issued where proof is given of loss or destruction of the original certificate.

Sec. 1494-39. Violation of any of the provisions of sections 1494-31 to 1494-39, inclusive, is hereby made a misdemeanor and shall be punished by a fine not less than \$10 nor more than \$50 or by imprisonment in the county jail not more than sixty days or by both such fine and imprisonment. It is hereby made the duty of the district attorney of the country in which the violation takes place to prosecute the action.

The lien law provides that every owner of a stallion or jackass kept and used for breeding purposes shall have a lien upon any colt gotten by such stallion or jackass for the sum stipulated to be paid for the service thereof, and may seize and take possession of said colt without process at any time before it is one year old, in case the price agreed upon for such service remains unpaid, and sell the same at public auction upon ten days' notice, to be posted in at least three public places in the town where the owner of such colt resides, and apply the proceeds of such sale to the payment of the amount due for such service and the expenses of such seizure and sale, returning the residue, if any, to the party entitled thereto, provided, no such lien shall be effectual for any purpose as against an innocent purchaser of such colt or the dam thereof for value unless such owner having a claim for the service of such stallion or jackass shall file with the clerk of the city, village or town where the owner of the mare served resides a statement showing that such service has been rendered and the amount due therefor.

WYOMING.

The owner of a stallion has a lien for the service fee upon both mare and colt. Notice of such lien must, within six months from the service, be filed in the office of the county clerk of the county in which the mare or colt is, the statute giving the form of notice. The lien

is declared to be prior to and to take precedence over any subsequent lien or incumbrance, except the lien for taxes. At any time after default of payment of service and within one year after such service, the holder of the lien may take possession of the mare or colt.

"Sale of property taken under this statute shall be made at public auction, the lien-holder first giving ten days' notice thereof in some newspaper published in the county where the notice of lien is filed, and if no newspaper be published in such county, then said notice shall be posted for two weeks in at least three public places in the county, one of which shall be at the front door of the building used as a courthouse; such notice shall describe the animal or animals to be sold, and state the amount of money claimed to be due thereon and when the services were rendered; the exact time and place of such sale shall also be stated. If for any good reason it shall be necessary to adjourn the sale, new notices shall be given as in the first instance required. A lien-holder shall not be debarred from purchasing at such sale, because of his owning the lien on the animal sold. The purchaser shall take from the person selling such mare or colt a bill of sale which shall contain the substance of the notice of sale and the date of sale and consideration therefor, and such bill of sale shall be filed in the office of the county clerk where the notice of lien was filed."

If both mare and colt are taken under a lien, the colt must be sold first and, if sufficient is realized from the colt, the mare shall not be sold. The statute declares the lien not to debar any holder from abandoning the same and recovering the amount due for such services, by an action at law. (Note.—This sentence is unnecessary, as statutes giving a lien are usually regarded as cumulative remedies and the owner may have his choice as to whether he will pursue one or both.)

Sale or disposition of an animal upon which this lien lies before it expires or is satisfied, or removing out of the county in which the notice of lien is filed with the intent to deprive the lien-holder of his lien or to damage an innocent purchaser, without having first obtained the consent of the lien-holder, is declared a misdemeanor, punishable by a fine of from \$10 to \$100, or by imprisonment for not more than three months.



Date Due

JAN 4 1955 *houkes*

CALL NO. SF291. J73 B

AUTHOR Johnstone

TITLE Horse book, supplement.

6940B

Library of The University of British Columbia

DATE DUE

READER'S NO.

DATE DUE

READ

JAN 4 1955

houkes

5332481

~~R~~

SF 291 J73 B

old books

